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# Metropolitan Detention Center

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## Admission & Orientation Handbook



Revised August 2012

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ADMISSION & ORIENTATION HANDBOOK  
METROPOLITAN DETENTION CENTER  
LOS ANGELES, CA

**INTRODUCTION:** Welcome to the Metropolitan Detention Center (MDC) Los Angeles, California. The purpose of this booklet is to provide you with general information about MDC Los Angeles, as well as programs and activities available here. The information contained in this handbook is current as of the date of publication. Take the time to thoroughly read the handbook's contents and ask questions, as this will ensure your understanding of rules and regulations, and allow you to utilize the many resources this institution has to offer.

MDC Los Angeles is located in Downtown Los Angeles adjacent to the Roybal Federal Building and Courthouse. The address is 535 North Alameda Street, Los Angeles, CA 90012. We are located right off of Highway 101, across from the Los Angeles Union Station. Highway 101 can be accessed from Interstates 5 and 10. The Union Station has rail services by Amtrak, Metrolink, and bus services. There is paid parking across from MDC Los Angeles at Joe's Auto Park and Union Station, as well as parking meters.

Opened in 1988, MDC Los Angeles houses approximately 1000 inmates who are either in pretrial, holdover, or designated status. MDC Los Angeles is a non-smoking facility.

ADMINISTRATIVE STAFF

**Warden:** The Warden is the Chief Executive Officer who is responsible for the total operation of the facility. In order to perform this function most effectively, the Warden delegates authority to senior staff members.

**Associate Warden (Operations):** The Associate Warden, Operations (AWO) reports directly to the Warden. The AWO's responsibility, delegated by the Warden, is to oversee and supervise the day-to-day operations of the following departments: Food Service, Health Services, Safety, Facilities, Financial Management (includes Commissary), Employee Services and Computer Services.

**Associate Warden (Programs):** The Associate Warden, Programs (AWP) reports directly to the Warden. The AWP's responsibility, delegated by the Warden, is to oversee and supervise the day-to-day operations of the following departments: Unit Management, Psychology Services, Religious Services, Correctional Services, Correctional Systems, and Education/Recreation.

**Discipline Hearing Officer:** The Discipline Hearing Officer (DHO) works for the Regional Director and conducts administrative fact-finding hearings covering alleged acts of misconduct and violation of prohibited acts.

**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 those who live and work here. The Captain is the department head for all correctional services staff.

**Case Management Coordinator:** The Case Management Coordinator (CMC) reports directly to the AWP and has been delegated the responsibility of

coordinating Inmate Performance Pay, Release Preparation Program, and Release Gratuities. The CMC is also the Central Inmate Monitoring specialist and is the liaison between the institution, United States Parole Commission, and courts. The CMC also supervises the Correctional Systems Department.

Consolidated Legal Center: Their responsibilities include review of litigation, and liaison with the Courts, the Public Defender's office and United States Attorney's office. Legal counsels for the institution are not authorized to provide legal assistance to inmates.

#### UNIT MANAGEMENT

Overview: There are a total of 9 general population housing units at MDC Los Angeles. A housing unit is a self-contained inmate living area that includes both housing sections and office space for unit staff. Housing units are divided between two unit teams, Unit 1 and Unit 2. Inmates are assigned to a specific unit team. Generally, the resolution of inmate issues and/or problems is most appropriately initiated by the respective unit team. Unit team members are available to assist in a variety of areas which include but are not limited to, daily institutional life, parole/probation matters, release planning, personal/family problems, counseling, etc. In addition to the aforementioned, unit team members will comprise the Unit Discipline Committee (UDC).

It is important that inmates understand the functions/duties of the unit team. A clear understanding of unit team duties will help facilitate assistance and resolution of whatever issues you are seeking to resolve. Additionally, inmates must refrain from attempting to solicit assistance from staff not assigned to their respective unit team. Circumventing the unit team without affording them the opportunity to assist you will only prolong resolution of issues. There are clearly outlined procedures inmates must follow in the event they are unable to resolve matters with unit staff.

Unit Manager: The Unit Manager reports directly to the AW(P) and has the responsibility for the overall management and orderly running of the unit. The Unit Manager oversees Case Managers, Unit Secretary and Correctional Counselors assigned to their units. If you are unable to solve a problem through your Correctional Counselor or Case Manager, you may seek assistance through the Unit Manager.

Case Manager: With your assistance, the Case Manager has the responsibility of gathering all resource information about you. That information will be analyzed to develop a program plan which will benefit you during and following your stay at this institution. The Case Manager is involved in all phases of inmate institutional life. Initial classification, release planning, and Parole/Progress reports are a few examples of Case Manager's duties. The Case Manager may also work as a liaison between inmates, outside agencies, courts and MDC Los Angeles staff. The Case Manager receives direct supervision from the Unit Manager.

Correctional Counselor: The Correctional Counselor has the important function of keeping the unit team informed of your progress in assigned work programs and any problems you may have during your stay at the institution. Talking with the Correctional Counselor regularly may solve many problems and answer questions with little delay. The Correctional Counselor will be



the primary staff member charged with the duties of handling matters of administrative complaints, visitation, cell assignments, mail, property, and work assignments. The Correctional Counselor receives direct supervision from the Unit Manager.

**Unit Officer:** The Unit Officer is responsible for maintaining security and custody within each housing unit. He/she will also dispense inmate care items, cleaning supplies and ensure that high sanitation standards are maintained. The Unit Officer is available 24 hours a day, 7 days a week, and is available to assist you with any concerns you may have.

**Rights and Responsibilities:** In addition to the general conduct guidelines contained in this booklet, it is important for you to become acquainted with your rights and responsibilities. There is also a list of prohibited acts, and types of disciplinary action which may be taken if you violate any institutional rules. The policy statements governing inmate discipline are available in the institution's law library. These rules of living are designed to make you aware of your rights and responsibilities and to make clear what is considered an infraction of the rules here. If you have any questions about your rights and responsibilities, prohibited acts, or the disciplinary process, contact a member of your unit team.

#### Inmate Rights and Responsibilities

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

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

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

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

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

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

**Right:** You have the right to healthcare, which includes nutritious meals, proper bedding and clothing, and a laundry schedule for cleanliness of the same; an opportunity to shower regularly, proper ventilation for warmth and fresh air, a regular exercise period, toilet articles, and medical and dental treatment.

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



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

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

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

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

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

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

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

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

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

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

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

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

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

**Responsibility:** You have the responsibility to meet your financial and legal obligations, including, but not limited to, court imposed assessments,

*fines, and restitution. You also have the responsibility to make use of your funds in a manner consistent with your release plans, your family needs, and other obligations that you may have.*

#### INSTITUTIONAL PROCEDURES AND OPERATIONS

**Accountability:** It is the policy of the Bureau of Prisons to maintain strict accountability of inmates at all times. This entails staff knowing the whereabouts of all inmates. Inmate accountability is considered a very serious issue and any violations of accountability policies will result in disciplinary action.

**Counts:** Official counts have been scheduled to limit interference with your daily activities. Counts are conducted daily at 12:00 AM, 3:00 AM, 4:30 AM, 4:00 PM, and 9:00 PM. All counts require the unit to be locked down. During the counts, staff is instructed to count a body only when they see skin and movement. The 4:00 PM and 9:00 PM count are a standup lock-down count. In addition, the 11:00 AM count on weekends and holidays is also a standup lock-down count. This means you must be standing in appropriate dress in clear view of the window to your cell. There is zero tolerance for those who do not adhere to this policy. You are confined to your room during the count, maintaining absolute silence, and keeping other noise to a minimum. It is your responsibility to be ready for the count when the time nears. The Unit Officer will announce COUNT TIME. If you are placed on out-count (not on the unit), you will be counted by your work/program supervisor. Interfering, delaying or disrupting the count will result in disciplinary action.

**Call-outs:** The call-out system is the official means of establishing appointments with staff members for inmates. The call-out system is the only authorized appointment schedule, and will include appointments for Health Services, work programs, etc. It will show appointments for the next work day. Call-outs posted on Friday will be for the following Monday. It is your responsibility to report to the Unit Officer for escort to the appointment. Failure to report for a call-out and/or refusal to participate may result in disciplinary action. The only person authorized to cancel your call-out is the staff member who scheduled the appointment.

**Court Line:** Morning court line begins at approximately 4:30 AM. Afternoon court line typically begins at 10:30 AM. It is important that you are ready for court when staff arrives on your housing unit to escort you off the unit. Court lines may not be refused. Inmates who violate court call procedures will be reported to both the U.S. Marshals and courts.

You are not authorized to take anything other than legal papers with you to court. Only those inmates authorized by the U.S. Marshals or the courts may wear non-institutional clothing for their trial appearances. You or your attorney must make this request through the court. Once approved, inmates must see their Correctional Counselor for specific arrangements.

**Inmate Cells:** Maintaining a high level of sanitation is a priority. Inmates and staff have a right to live and work in a sanitary environment. While housed at this facility you are required to clean your cell and the immediate common living areas on a daily basis. The Unit Officer will have



you return to your cell immediately following the breakfast meal for the purpose of unit and cell sanitation inspections. . **More specifically, you are required to have your room clean and Inspection Ready by 7:30 AM each day.** Cleaning supplies will be provided by the Unit Officer. Following the below listed standards will ensure compliance:

- Floors are to be swept and mopped daily. They are to be clean and free of excess dirt and dust.
- Toilets and sinks are to be cleaned with authorized cleaning supplies.
- Beds shall be neatly made each day by 7:30 AM. One mattress per bunk.
- All clothing must be in either your laundry bag or folded neatly and stored in your storage area.
- Air vents must not be covered or obstructed.
- Trash cans are to be emptied by 7:30 AM daily and throughout the day.
- Nothing is permitted to be taped, hung or otherwise attached to the walls, locker, doors, vents or bed.
- You may have no more than a total of 10 books and magazines combined (this excludes legal books, religious books and school books).
- All legal materials must fit neatly under your bed. Each inmate is allowed 1 cubic foot of legal material space in their cell. If you are unable to store all of your legal materials, contact your Correctional Counselor.
- Nothing will be stored on lights or lockers. Sink counters are to be cleared of clutter. These areas will remain clean and clear.
- At no time may windows (interior or exterior) be covered by any object. Paper, cardboard, etc., shall never be placed in front of windows.
- No tapping on windows.

When you are initially assigned a cell, or you are reassigned a cell, it is your responsibility to inspect it for damages, graffiti, contraband, etc. Immediately notify the Unit Officer in the event that you find any of the aforementioned. Inmates should routinely inspect their cells and its condition/contents. Occupants of cells assume responsibility for any damages or contents immediately. "It was like this when I moved in here" or "That is not mine" is not an acceptable excuse.

Inmates are only allowed in the rooms in which they are assigned. Visiting other rooms at any time is prohibited. You are also not authorized to change your room without permission. Disciplinary action will result if you visit or switch rooms.

Sanitation is strongly enforced here at the MDC Los Angeles. Failure to maintain sanitation standards will result in disciplinary action.

**Lower Bunk Assignment:** If it is deemed medically necessary, you will be assigned a lower bunk assignment. Health Services will provide written documentation which must be maintained by the Unit Officer. Lower bunk assignments are based on medical needs, not seniority. See the medical staff if you feel as though you require a lower bunk assignment.

**Dress Code:** Inmates are required to be properly dressed from 7:00 AM to 4:00 PM, Monday thru Friday and during meals, weekends and holidays. You will be properly dressed during any stand-up count, visits, call-outs, interacting with staff or inside staff offices, etc. Properly dressed means wearing



institutional issued clothing with shirts tucked in. Oversized clothing is not allowed and pants must fit around waistline in an appropriate manner.

While conducting recreational activities, shirts are required. Boxer shorts, and underwear are not considered recreational wear. At no time may sweat bands, bandanas, durags, etc., be worn.

Female inmates are required to wear a bra at all times. This includes during meals, standing counts, going to the restroom and going to the showers. Boxer shorts are not authorized for female inmates.

**Clothing/Laundry:** Upon arrival at the institution you will be given one set of clothing along with a standard bedroll consisting of two blankets, one sheet, two towels, an admission kit, and a cup. During intake screening you will complete a laundry clothing issue form which will be forwarded to the Laundry Department.

The laundry staff will issue you a standard clothing issue within two working days of receiving your information. The replacement of clothing is done on a one for one exchange only during the unit's designated laundry exchange time. The schedule is subject to change, so refer to your unit bulletin board for the current schedule. See your Unit Officer if you have any questions in reference to laundry operations or clothing.

Clothing or laundry bags may not be altered or damaged in any way (i.e., clotheslines, cut-offs, weight bags). Disciplinary action will be taken against those inmates that alter clothing/laundry in any way. You are responsible for the clothing you receive. Giving other inmates clothing is not authorized. Those inmates found in possession of an unauthorized amount of clothing are subject to disciplinary action.

**Inmate Personal Property:** All inmates will have their personal property inventoried at the time of admission. The property will be inventoried on an "Inmate Personal Property Record" form (BP 383), indicating the disposition of each item.

All inmates will be provided an area to secure authorized property. They may purchase an authorized combination lock from MDCLA's commissary to secure this area. Inmates are not permitted to keep another inmate's property. All property must be stored neatly under bunk beds or in lockers. Only minimal personal hygiene items will be kept underneath sinks or on the sink tops. All inmates should refer to the inmate bulletin boards regarding procedures specifically outlining inmate property regulations, retention of personal property, storage of inmate personal property, and classification/disposition of contraband.

**Work Assignments:** All designated inmates are required to work. After designated (Cadre) inmates complete their Admission and Orientation Program (A&O), they will be assigned to a work detail. All inmates must first be medically cleared for work. On or before the date of your classification, your unit team will assign you to a permanent work detail. If possible, you will be assigned a work detail of your preference. However, institution needs, physical condition, education, previous work experience and general attitude weigh heavily on job assignments.

Pretrial and holdover inmates are not required to work and may be assigned a work detail; however, some job assignments are reserved for designated

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inmates. Additionally, a work waiver must be completed by pretrial inmates prior to being placed on a work assignment.

\*If you are assigned to a paid work assignment, you may be awarded Performance Pay. See your Correctional Counselor in reference to current pay rates and eligibility.

^If you wish to change your job assignment, you must submit a written request for a job change to your unit team. Requests must include what assignment you wish to be changed to, your current supervisor's signature and that of the requested work supervisor. Usually job changes will be made only when there is an obvious need and benefit either to the institution, you or both.

**Inmate Work Injuries:** It is your responsibility to report any injury occurring at the institution. If you sustain an injury on any work assignment, you must immediately report it to your work supervisor. If you fail to immediately report a work injury to your supervisor you may be ineligible to receive lost time wages or other compensation. For purposes of submitting a compensation claim for a work injury resulting in some degree of physical impairment, you must contact the Safety Manager within 45 days and not less than 15 days prior to your release or transfer to a community corrections center. This claim must include a medical evaluation before any compensation can be considered.

**Televisions:** Televisions are located in each living unit. They are controlled by the Unit Officer; however, you may purchase a radio headset through Commissary to receive the audio.

**Barber Shop:** Unit Managers will ensure oversight of proper screening procedures to select inmate barbers. Barbering assignments will only be made by the unit manager or unit counselor.

All special instructions are intended as a guideline and not all circumstances can be anticipated. The following procedures will be followed:

7:00 a.m. The Tool Room Officer will distribute (Monday thru Friday) the barber equipment to each housing unit. Both the Tool Room Officer and the Unit Officer will account for all barber equipment.

7:30 a.m. An accountability form will be maintained by the Unit Officer for the tools issued to the inmates.

7:45 a.m. Inmate barbers will report to the Unit Officer and receive equipment.

8:00 a.m. Haircuts will be conducted in an assigned T.V. room from the hours of 8:00 a.m. to 12:00 p.m., Monday thru Friday, and access will be controlled by the Unit Officer. A maximum of four (4) inmates will be allowed in the assigned area at one time for haircuts by the Unit Officer. The room will remain secured during haircuts.

12:00 p.m. Inmate barbers will report back to the Unit Officer and



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account for all equipment. If there are any discrepancies regarding accountability, the Operations Lieutenant will be notified immediately and an area search will be conducted.

12:30 p.m. The Tool Room Officer will retrieve all barber equipment from the Unit Officers at 12:30 p.m. An inmate sign-up sheet will be posted the day prior by the Unit Officer.

All cut hair will be considered HOT TRASH and will be removed each day by the Tool Room Officer. The Unit Officer will report any unusual or suspicious activity to the Operations Lieutenant.

The following are basic hygiene/sanitation procedures:

- All razors, scissors, combs or other tools (except clippers) shall be thoroughly washed with soap and water to remove film and debris. The clippers shall be effectively disinfected immediately after use on each inmate and before being used for the services of any other inmate.
- After cleaning, the clipper blades shall be immersed in the disinfectant solution and agitated for a period of no less than 15 seconds before use on another inmate.
- No barber shall use the headrest cover, neck strip, towel or wash cloth that has been used for any other inmate.
- The making of shaving lather in a wash basin or lavatory for use in serving an inmate is prohibited.
- The removal or treatment of blackheads, carbuncles, infected hairs, or any sore lesions is prohibited.
- No inmate shall be served when infested with head lice.

### Barber Schedule

5-North/5-South 8:00 a.m. to 12:00 p.m. M-F  
6-North/6-South 8:00 a.m. to 12:00 p.m. M-F  
7-North/7-South 8:00 a.m. to 12:00 p.m. M-F  
8-North/8-South 8:00 a.m. to 12:00 p.m. Thursdays  
9-North/9-South 8:00 a.m. to 12:00 p.m. M-F

Telephone Procedures: Use of telephones for social calls is a privilege not a right. This privilege may be suspended or revoked for failure to comply with institutional regulations.

Within 48 hours of arrival to the institution, except on weekends, new inmates will be issued a Phone Access Code Number (PAC number). A PAC number is an access number unique to only you. It allows access to your telephone account and the approved numbers within. PAC numbers are for personal use and not to be given to any other inmate. You should secure it immediately and protect it at all times. If the PAC number is compromised, a new PAC number must be requested. There is a \$5.00 charge which must be paid prior to a new PAC number being issued. Use of another inmate's PAC number is strictly prohibited.

Upon receiving your PAC number, all inmates must register with Voice Verification prior to the use of the inmate telephones. All telephone



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numbers are set-up in the Trust Fund Limited Inmate Communications Systems (TRULINCS) as contacts. Inmate telephone lists may contain up to a maximum of 30 telephone numbers. The management of contacts is the responsibility of each inmate. Once a contact has been established with a valid telephone number, the number can normally be called within 15 minutes. If an inmate has a private attorney it is encouraged that the contact information is added as well.

Upon discovering a PAC number has been lost or stolen, the affected inmate is required to immediately notify his/her correctional counselor, or any available unit staff member. The inmate will inform staff through submitting an "Inmate Request to Staff Member" form which details the incident. This form must be hand delivered to the staff member.

Phone credits can only be purchased using Trufone. Inmates may use the Telephone Teller from any inmate telephone to transfer funds from their Trufacs (commissary account) to their Trufone (telephone account) accounts.

Inmates shall transfer credits only in whole dollar amounts (i.e. 5 indicates you want to transfer \$5.00 dollars; do not include the zeros when transferring credits unless you are transferring \$50.00 and above). Transfers can be made Monday through Sunday, 6:30 AM to 8:30 PM. Inmates can also check their commissary balances during these times.

Credit sales will not be restricted unless there is a specific sanction taken by the Unit Disciplinary Committee or Disciplinary Hearing Officer. Truphone allows two fund transfers per day.

Inmates desiring to make a social call from the Special Housing Unit (SHU) will submit an Inmate Request to Staff to the SHU officer. Inmates housed in Administrative Detention will be allowed a minimum of one social call per week. Inmates in Disciplinary Segregation status will be allowed one social call every 30 days. The SHU officers will be responsible for regulating these calls. Inmates desiring to make a legal call from SHU will submit an Inmate Request to Staff Member to the SHU Lieutenant. The Inmate Request to Staff Member will indicate the name of the attorney and the telephone number. The SHU Lieutenant will verify the inmate-attorney relationship using PACER. Upon verification, the SHU officer will connect the inmate phone to the "attorney calls" phone jack within SHU, and record the legal call in the logbook located within the SHU.

All inmates are authorized a total of 300 minutes of telephone time per month; either collect or direct dial. At the first of every month, all accounts are reset. Regardless of the number of minutes you did not use the previous month, your account will reflect 300 minutes on your validation day each month. **There is no carry-over for minutes not used.** Inmates transferring to and from other Federal facilities maintain the same PAC number; the balances and approved numbers are forwarded as well.

**All calls placed via the inmate telephone system are monitored and your use of the telephone is considered your implied consent to have your conversation recorded.** Additionally, upon arrival at MDC Los Angeles, you must sign a consent form stating that you are aware that your calls are subject to monitoring.

Inmates will be allowed access to the inmate telephones on the housing units from 6:30 AM until 8:30 PM each day. Each call is limited to 15 minutes. After the 15 minutes have elapsed or you complete the call, you must wait one hour before the system will allow you to make another call. **Three-way**

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calls, credit card calls and calls placed with another inmate's PAC number are strictly prohibited. There is a zero tolerance in regard to telephone abuse and inmates found to be in violation of policy are severely sanctioned (see section Prohibited Acts and Disciplinary Severity Scale).

Inmate telephones will automatically turn off during lunch Monday through Friday (11:00 AM to 12:00 PM) and one-half hour prior to all counts (10:30 AM on weekends and holidays, 3:30 PM and 8:30 PM) daily.

Inmates are strongly encouraged to wisely budget their monthly allocation of telephone minutes. It is in your best interest to maintain a sufficient balance until close to the end of the month in the event of an emergency.

The telephone system also enables inmates to perform numerous transactions within their account (check commissary balances and transfer funds to the Trufone account).

**Collect International Telephone Calls:** Collect international telephone calls are limited to the United States, Guam, Puerto Rico, and Virgin Islands. Policy prohibits the use of staff telephones to place a call outside of the United States. All other calls, including legal calls, must be pre-approved by the Unit Manager. No direct telephone call will be approved. Any other concerns should be addressed with the Unit Manager.

Each pretrial housing unit has one unmonitored telephone which will connect you directly to the Public Defender's office. This is to assist you in maintaining contact with your appointed attorney. Inmates requiring unmonitored telephone calls to attorneys other than public defenders must submit a written request to their Unit Manager. The request must include next court date, reason why written correspondence will not suffice and why the attorney is unable to make a legal visit.

**TRULINCS:** In an effort to improve the ability of inmates to efficiently and economically maintain contact with persons in the community, the Federal Bureau of Prisons has implemented the TRULINCS. TRULINCS is intended to supplement, not replace, inmates current and well-established means of maintaining contact with persons in the community, specifically, written correspondence, telephones and visiting. Inmates participating in this program will not have access to the Internet.

Inmates will have access to TRULINCS stations on each housing unit, excluding the Special Housing Unit (SHU). Approved Inmates may access the system during authorized time frames and only after clicking, "I ACCEPT," the inmate has demonstrated their understanding of the program rules and procedures.

Inmates will be charged \$.05 per minute in program fees for using the TRULINCS service. There will be no charge to check for new messages received. Inmates will be required to purchase minutes of session time using TRULINCS. Inmates must purchase time in the following minute increments: 40, 100, 200, 300, and 600. The TRULINCS program will not be available to inmates without enough funds to purchase the increment of minutes. Inmates may elect to print their messages using the designated print station. Inmates will be charged three minutes (\$.15) per each printed page. Multiple page messages will be printed front and back (duplexed) and count as two pages per sheet of paper.



Hours of Operation: The TRULINCS will normally be operational during the following hours:

Cadre: 6:00 AM - 8:30 PM

All other inmates: 6:30 AM - 8:30 PM

The use of TRULINCS must not interfere with institution schedules, programs, work assignments, or counts. When a count is conducted, all inmates shall terminate their TRULINCS session immediately.

- During institution emergencies, the use of TRULINCS may be restricted or terminated.
- During normal working hours, TRULINCS will not be available, until after unit sanitation has been completed.
- Inmates will be responsible for their use of TRULINCS and are expected to conduct themselves in a responsible manner and respect other inmates. Each inmate is responsible for the content of the electronic messages he/she sends.

The inmate must consent to have all incoming and outgoing electronic messages monitored, read and retained by Bureau staff. Inmates are required to list the correct mailing address of all contacts he/she requests communication with. BP-199's, telephone contacts, electronic messaging and outgoing U.S. mail recipients must all be entered in TRULINCS with a valid mailing address.

Inmates may withdraw from the program at any time without penalty or cost, except for fees already incurred by their participation in the program. Inmates choosing not to participate in the program may still maintain contact with persons in the community through written general correspondence, telephone and visiting as provided in accordance with those Bureau policies.

An inmate may exchange electronic messages with persons in the community who are on the inmate's approved electronic message contact list. Through use of the computers provided by the institution, the inmate may add message addresses to his/her electronic message contact list.

Inmates may not exchange electronic messages with unauthorized contacts including, but not limited to:

Victims, witnesses, other persons connected with the inmate's criminal history, law enforcement officers, contractors or volunteers.

Inmates may place attorneys, "special mail" recipients, or other legal representatives on their electronic message contact list, with the acknowledgment that electronic messages exchanged with such individuals will not be treated as privileged communications and will be subject to monitoring.

Inmate to Inmate Communication: An inmate may be permitted to correspond via electronic messaging with an inmate confined in any BOP facility if the other inmate is either a member of the immediate family, or is a party or witness in a legal action, with certain limitations. Requests for inmate to inmate communication must be addressed directly with the inmate's Unit Team.



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- The maximum number of consecutive minutes an inmate may use at a mail station (session time) is 15 minutes. The interval between sessions is 60 minutes.
- Inmates may only have 30 active contacts on their contact list.
- Messages may not contain attachments.
- Messages may not exceed 13,000 characters.
- Inmate to inmate communication may be granted after the appropriate approval.
- Inmates will be able to access their incoming, outgoing, draft, deleted, and rejected messages for 21 days. Messages 21 days old will automatically be purged by the system.

After three consecutive failed attempts to access the system, the inmate's account will be locked and the Trust Fund Supervisor must unlock the account. Inmates must submit a request in writing to the Trust Fund Supervisor, in order to unlock their account.

All funds that are in an inmate's TRULINCS account will be transferred to his/her TRUFACS account at the time of release.

Visitation: Social visiting is a privilege, not a right. This privilege may be suspended or revoked for failure to comply with the rules and regulations of conduct.

Each inmate must submit a list of social visitors to his or her Correctional Counselor. Inmates not designated to MDC Los Angeles may only have ~~immediate family members~~ (i.e., mother, father, sibling, spouse, and children) approved to visit after verification of relationship has been provided and a background check has been approved by the Unit Manager. This process typically takes two weeks. Visiting is conducted Monday thru Wednesday from 12:00 PM to 8:00 PM, and 8:00 AM to 8:00 PM on Saturday, Sunday, and Federal holidays. There is no social visiting on Thursday; however, there is inter-floor visiting. Due to limited space in the visiting room, a maximum of three adults are permitted during each inmate visit. An odd/even visiting schedule has been established. Visiting days are determined by the fifth digit of your register number. Inmates are limited to a social visit of one hour in duration on his or her designated day. Refer to the unit bulletin board for the current schedule. Refer any questions in reference to visitation to your Correctional Counselor.

Designated (Cadre) inmates may have up to ten visitors on their approved list. These visitors are not required to be immediate family; however, proof of relationship prior to incarceration must be established. In addition to the visiting times listed above, these inmates are allowed to visit each Friday evening from 5:30 PM - 8:00 PM. ~~Pretrial and holdover inmates are normally only permitted visitation with immediate family members.~~ A non-immediate family member may be approved for those inmates who have no approved immediate family visitors and the inmate has been housed at the facility 90 consecutive days. Once approval is granted, changes will not be permitted unless an unusual circumstance occurs.

## Refer to BOP

### General Guidelines for visiting are as follows:

All visitors to the institution are required to dress appropriately. The following articles of clothing are prohibited:

- Bathing suits; sweatshirts; sweat pants; warm-up suits; jackets (unless worn with suit); sweaters; shorts of any kind; see-through garments (including arms); mesh or bare back clothing; plunging neck line; low cut blouses; miniskirts or sun dresses which are more than one inch above knee cap; leotards; stretch pants; crop tops; halter tops; tube tops; medical scrubs; form fitted or tight clothing; mid-drift shirts; hats; caps or hoods; camisoles; scarfs; solid white, green, or grey t-shirts; and tan or khaki clothing of any kind. MDC Los Angeles staff reserve the right to deem any article not mentioned as inappropriate as well.

All visitors (with the exception of children under the age of 18) must show proof of identification and also provide and surrender identification to the Visiting Room Officer prior to entering the Visiting Room. Upon exiting the Visiting Room, the identification will be returned to the visitor once a positive identification is completed.

A valid driver's license, State identification card, military identification, passport or U.S Immigration identification card must be submitted prior to entrance into the institution. Matricular identification cards issued by the Mexican Consulate are not considered valid for entrance.

Additionally, all visitors must successfully pass through a metal detection scanning, and may be subject to an Ion Track test for possession or detection of illegal substances.

Visitors are not allowed to have food or beverages in the lobby area or the front area of the institution. In addition, visitors must maintain control of their children at all times. Visitors with a baby may bring one diaper, one pacifier, one baby blanket, and one clear bottle per infant.

You are not permitted to receive any item of any kind from any visitor. The only physical contact permitted during visitation will be a closed mouth kiss upon entering/departing the visiting room. You are permitted to hold small children. You are responsible for the behavior of your children. Once assigned, chair or table rearrangement or movement will result in termination of visits.

A copy of visitor rules and regulations can be found on the BOP website, [www.bop.gov](http://www.bop.gov). MDC Los Angeles can be located under the Facility Locator link.

If your family does not have internet access, please see your Correctional Counselor.

Special visits for family emergencies may be requested and reviewed by your unit team on a case by case basis. See a unit team member in your unit.

**Televisiting:** Social visitation for inmates housed in the Special Housing Unit (SHU) and also some in the general population, whose conduct has been determined to be disruptive to the orderly operation of the facility, will be subject to televisiting.



## Refer to BOP

Prohibited acts including, but not limited to, the following will be subject to video visiting:

Code 101 Assault (serious, including sexual assault)  
Code 104 Possession of a weapon  
Code 110 Refusing a urinalysis or breathalyzer  
Code 111 Introduction of narcotics, marijuana, drugs, alcohol, intoxicants, or related paraphernalia, not prescribed for the individual by medical staff  
Code 112 Use of narcotics, marijuana, drugs, alcohol, intoxicants, or related paraphernalia, not prescribed for the individual by medical staff  
Code 113 Possession of narcotics, marijuana, drugs, alcohol, intoxicants, or related paraphernalia, not prescribed for the individual by medical staff  
Code 114 Sexual Assault  
Code 201 Fighting  
Code 203 Threatening  
Code 205 Engaging in sexual acts  
Code 224 Assault (less severity)

All inmates and visitors participating in non-contact video visits are subject to the same rules and regulations as visitors and inmates entering the visiting room. This includes dress code requirements and standards of behavior for both visitors and inmates. Social visits for SHU inmates will be conducted on Monday thru Friday from 8:00 AM to 1:00 PM. Social visits for general population inmates will be conducted Monday thru Friday from 1:00 PM to 8:00 PM. Prior to each visit, video equipment will be inspected by staff and any damages to the equipment or visiting room will be documented in a written memorandum and incident report will be issued. All non-contact visits will be monitored via video. Any questions regarding televisiting should be directed to a member of your unit team.

**Legal Visits:** Attorneys with valid Bar Association cards are permitted to visit from 8:00 AM to 8:00 PM Monday thru Sunday. There are no time limits on legal visits. Inmates are permitted to bring legal materials, one pair of reading glasses, one religious medallion and a wedding band. No property (to include legal materials) may be given to an inmate by an attorney. Inmates must return to the housing unit with only those items they originally brought with them. A legal mailbox is located in the Visiting Room if your legal representative wants to leave legal mail for you in this box.

**Religious Visits:** Pastoral visits are arranged through religious services. Inmates need to submit a written request for their pastor, spiritual advisor, or faith representative of the inmate's faith to visit. An inmate may only have one minister of record at a time. The inmate needs to provide at least the name of clergy person and a phone number to the chaplains. The chaplains will conduct all necessary security checks. After the security checks are completed the minister is entered into the inmate visiting program (under "Clergy"). Pastoral visits will not be counted as social visits, and pastoral visits will take place in the visiting room during regular visiting hours.



## Refer to BOP

Consulate Visits: Inmates that are citizens of foreign countries may be visited by their respective Consulate office. Consulate visiting guidelines are the same as legal visit guidelines.

Food Service: Food is delivered to each housing unit three times a day from the main kitchen via stainless steel food carts. Meals are served at 6:00 AM (7:00 AM on weekends and holidays), 11:00 AM, and 5:15 PM. Meals are based on a 35 Day Cycle Menu. The weekly menus are posted on the unit bulletin board; however, due to availability and pricing, menu items are subject to change without prior notice.

Food is served by the unit orderlies under the supervision of by staff. All meals will be served and eaten in designated areas only. No food is to be taken to your room. Food will not be consumed in rooms and inmates are not permitted to deliver food to other inmates. Trays and utensils will be returned to the food cart after each meal. This is your responsibility, not that of other inmates. During meal times, inmates are to be fully dressed in institutional clothing including socks and shoes. Shorts are not authorized during meal times.

Meals are prepared in accordance with Armed Forces Recipes which conform to the latest nutritional guidelines established by the Registered Dietician Association (RDA). The 35 Day Cycle Menu has been analyzed by a Registered Dietician and meets the RDA recommended daily allowance in average daily caloric intake (3000 calories), percent of total calories from protein (13%), percent of total calories from fat (30%), and percent of calories from carbohydrates (57%). It is our goal to serve nutritionally balanced, low fat, heart healthy meals to the population. In addition to the regular meals served, we also provide special dietary needs for inmates with health conditions and religious preferences. The optional meals include a Fleshless Diet or Religious Diet meal. The Fleshless Diet is available to any inmate, by first submitting an Inmate Request to Staff Member (copout) form to the Food Service Department. The Fleshless Diet is similar to the general population meal, but instead of a meat item, it is replaced with a protein substitute, such as, soy, peanut butter, or tofu.

To request the Religious Diet meal, you must submit a request to the Chaplain. All Religious Diet Meals are kosher and meet dietary and religious needs. Inmates will be removed from the Religious Diet for eating food from mainline or for purchasing non-certified food from the commissary. Inmates may not be on both a special medical diet and Religious Diet at the same time.

Inmates are responsible for taking care of all equipment such as the microwave; equipment maintenance and replacement costs come out of the food budget. All plates, trays, bowls, and utensils will be returned to the food carts after each meal. NO trays or utensils are allowed out of the common area, to include "Religious Diet" meals. Inmates found with these items in their cells are subject to disciplinary action to include paying for the rest of the item.

Religious Programs: Chaplains are available to assist you with your religious, spiritual and pastoral needs. A chaplain is available 7 days a week to provide pastoral care and counseling to individuals of all faiths.

A schedule of religious services and activities is posted in the Religious Services area and on each unit bulletin board.

▼ **Education Programs:** As part of the A&O Program, each designated inmate will be tested to determine his educational level. Through this testing, designated inmates may begin an educational program based on their current educational level. The Literacy Program (General Education Development - GED), English as a Second Language (ESL), Adult Continuing Education, Parenting and Leisure and Wellness courses are available. Cadre inmates must have a high school diploma or they will be required to attend the Literacy Program.

**Literacy and ESL Program Incentives:** In order to receive above grade 4 pay, an inmate must be able to demonstrate attainment of a GED or High School Diploma. Certificates will be awarded for certain levels of achievement in GED and ESL. ESL certificates will be awarded at the halfway mark and at the completion of the functional literacy level of 8th grade. In the literacy program, basic emphasis will be on functional literacy (8th grade) and the passing of the official GED.

Successful completion of the GED program will be awarded a State issued diploma and may receive other incentives. These may include participation in a graduation ceremony, photos, or a monetary award (max \$25.00). All awards will be given based on the availability of funds. Pretrial inmates are not required to participate in educational programs but can participate in ESL on a voluntary basis as it is made available.

Due to the nature of MDC Los Angeles' mission, educational resources are limited. Leisure reading material is available on each of the housing units. Any information on programs that are available is posted on the unit bulletin boards. If you have questions concerning any educational programs, please submit a copout to the Education Department.

▼ **Law Library:** Every effort is made to provide inmates reasonable access to legal materials. See your Unit Officer for sign-up procedures and assigned times. The electronic law library is available in the housing units and in the education department. Reference materials are available, as well as typewriters and legal paper. Should you have trouble logging on, need photocopies, or have questions about the electronic law library, please contact a member of the Trust Fund Department. You can request extra law library time by submitting a written request to the Education Department on the day you are in the law library.

▼ **Recreation:** You are highly encouraged to engage in approved recreational programs. Recreation is an excellent means of relieving stress and maintaining mental/physical health. There are several forms of recreation provided on each housing unit. These activities include cards, Ping-Pong, pool, and games. In addition to the aforementioned, outdoor recreation is also available. Outdoor recreation is limited by the physical structure of this facility.

▼ **Commissary:** Shopping at the commissary is a privilege, not a right. This privilege may be suspended or revoked for failure to comply with institutional rules and regulations.

MDC Los Angeles operates a commissary which provides numerous items that you may purchase. The Unit Officer can provide a list of these items and their



prices. If you have funds in your inmate account you may make commissary purchases. Purchases are made by submitting a commissary sheet which indicates what items you are requesting to purchase. Once a week, request sheets are turned in and delivery follows shortly thereafter. See your Unit Officer for these times. Commissary spending is limited to a pre-determined monthly amount (excluding special purchase items). See staff for current spending limits. In the event that you are at court during delivery times, commissary staff will deliver your items.

It is your responsibility to know the amount of money in your account. You may check both the balance in your account and the balance left on your monthly spending limit by reading your sales receipt. Balances are also available by using your PAC number (refer to "Telephone Procedures" for explanation of PAC number) and the Inmate Telephone System (ITS) after 4:00 PM. If you have any questions concerning your commissary balance, submit a written request to the commissary staff.

**Inmate Request to Staff (COPOUT):** A written request can be obtained from the Unit Officer and is used by inmates to address concerns or questions to a staff member. They should be mailed through the institution mail. To expedite your request, address it to the staff member at the lowest level possible in the chain of command and to the designated person/department that handles the area that involves your specific need. If you have experienced a problem in any area, which you have been unable to resolve, you may submit a written request to the next person in the chain of command. Talk with your unit team for assistance on addressing your concerns in the most efficient way. MDC Los Angeles staff is responsible for addressing a great deal of inmate concerns, and your written correspondence serves as a reminder to the staff member and in many instances will ensure your issue is addressed.

**Retention of Sentencing Documents:** Changes in Program Statement 1351.05, Release of Information, prohibit inmates from obtaining and possessing photocopies of their Pre-sentence Report (PSR), Statement of Reasons (SOR) or other equivalent non-U.S. Code sentencing documents. This prohibition does not apply to inmates in Bureau of Prisons custody with a need to review their PSRs prior to sentencing. For example, a pretrial inmate scheduled for sentencing may possess and review the PSR in preparation for sentencing. After sentencing, however, the inmate is prohibited from retaining a copy of the PSR. Any inmate in possession of such a document after sentencing must surrender their copy to Unit Management. Failure to comply with this requirement will result in disciplinary action.

**Administrative Remedy Procedures:** You are encouraged to solve problems on an informal basis using an Inmate Request to Staff (Copout). Unit staff is available to address your concerns. When this is not possible, you have further recourse through the Administrative Remedy process. Complaints regarding Tort Claims, Inmate Accident Compensation, Freedom of Information or Privacy Act requests and complaints on behalf of other inmates are not accepted under the Administrative Remedy process.

The first step in the Administrative Remedy process is the documentation of informal resolution attempts. The Correctional Counselor will assist you in documenting these attempts on the appropriate form.

If informal resolution is unsuccessful, you may then request a BP-9. The BP-9 form is usually provided within 72 hours of the time that you brought the problem to his/her attention. Once the BP-9 is completed, the informal resolution form will be attached and forwarded to the Warden's office for investigation. The BP-9 complaint must be filed within 20 calendar days from the date on which the incident or complaint occurred, unless it was not feasible to file within that period of time. Institution staff have 20 calendar days to act on the complaint and to provide a written response. In the event it is necessary, the response time may be extended up to 20 additional calendar days; however, notification must be provided. When the complaint is perceived to be of an emergency nature or a threat to the inmate's immediate health or welfare, a reply must be made within 3 calendar days from the receipt of the complaint.

In the event you are not satisfied with the response, there are additional appeal measures which are described in your response. Program statements, institution supplements, United States Code and other legal reference materials are available in the law library to help you determine specific requests for relief.

**Sensitive Complaints:** If you believe that your complaint is of a nature which would adversely affect you if it became known at the institution, you may file your complaint directly to the Regional Office. Complaints written directly to the Regional Office must clearly outline the reasons why the complaint cannot be filed at the institution. For additional information, refer to Program Statement 1330.16, *Administrative Remedy*, which can be found in the law library.

**Elevator Procedures:** In the event that you must leave your housing unit, a staff member will escort you via elevator to your specific destination. Upon entering the elevators, inmates must proceed to the rear of the elevator and remain facing the rear. At no time may you turn around unless instructed by a staff member. Complete silence must be maintained while in the elevator. Contact between inmates in an elevator is prohibited.

**Emergency Plans (Fire and Earthquake):** Emergency plans are posted throughout the units. If an emergency arises, you are to follow staff instructions to ensure safety. Emergency drills are held periodically. Drills are intended to increase inmate and staff awareness of emergency exiting procedures.

#### CORRECTIONAL SYSTEMS DEPARTMENT (CSD)

**Sentence Computation:** The Records Office or the Designation and Sentence Computation Center (DSCC) in Dallas, Texas, are responsible for the computation of inmate sentences. An inmate will be given a copy of their sentence computation as soon as it is prepared. Any questions about Good Conduct Time, jail time credit, parole eligibility, Full Term dates, release dates, or periods of supervision should be addressed to the Records Office.

**Detainers:** Warrants (or certified copies of warrants), based on pending charges, concurrent, consecutive, or unsatisfied sentences in Federal, State, or military jurisdictions will be accepted as detainers. Detainers and untried charges can have an effect on institutional programs, therefore



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it is very important the inmate initiate efforts to clear up these cases to the degree he or she can.

Unit Management staff may give assistance to offenders in their efforts to have detainers against them resolved. The degree to which the staff can assist in such matters as these will depend on individual circumstances.

Federal and State detainers may be quickly processed under the procedures of the Interstate Agreement on Detainers (IAD). This agreement applies to all detainers based on pending charges which have been lodged against an inmate by a state, county, or U.S. government regardless of when the detainer was lodged. For an inmate to use this procedure, the warrant must be lodged with the institution. The inmate may initiate IAD action through the CSD.

**Good Conduct Time:** This applies to inmates sentenced for an offense committed after November 1, 1987. The Comprehensive Crime Control Act became law on November 1, 1987. The two most significant changes in the sentencing statutes deal with Good Conduct Time and parole issues. There are no provisions under the new law for parole. The only Good Conduct Time available is fifty-four (54) days per year. This may not be awarded until the end of the year, and may be awarded in part or in whole, contingent upon behavior during the year. There is no Statutory Good Time or Extra Good Time for people sentenced for crimes committed after November 1, 1987.

**Old Sentencing versus New Sentencing Guidelines:** Offenses committed prior to November 1, 1987 and prior to September 13, 1994 fall under the New Sentencing Guidelines (CCCA - Comprehensive Crime Control Act of 1984). However, the sentencing guidelines may vary for inmates who committed an offense between November 1, 1987 and January 18, 1988, depending upon the sentencing district under which the individual was sentenced.

Offenses committed on or after September 13, 1994 and prior to April 26, 1996 fall under the Violent Crime Control and Law Enforcement Act (VCCLEA).

Offenses committed on or after April 26, 1996 fall under the Prison Litigation Reform Act (PLRA). Any question or concerns regarding your sentence computation should be addressed to the Records Office or your Case Manager via a cop-out.

**Mail:** You are encouraged to maintain relationships with family members, friends, and other community members through correspondence. Inmates are **not** permitted to seal outgoing mail, with the exception of legal mail. You are held **exclusively** responsible for the contents of your mail. You are not authorized to request merchandise or materials, or to order anything for which you are to be billed. ~~Both incoming and outgoing correspondence are subject to being read and inspected.~~ **All correspondence must have your name and register number on it or it will be returned or discarded.**

Corresponding with inmates at **any** correctional type institution is **not** authorized without the permission of the Warden or Unit Manager. You can request correspondence with an immediate family member through your unit team.

Should you desire to mail out a package or receive one, arrangements must be made via your Correctional Counselor and approved by the Unit Manager. Magazines, books and newspapers may not be received from sources other than directly from the publisher. Some types of publications that could

## Refer to BOP

jeopardize the security and orderly running of the institution are strictly prohibited and will be returned to sender. Magazines containing any type of nudity or sexually explicit material are prohibited and will be returned to sender. See your Correctional Counselor for specifics.

• **Legal Mail:** Legal mail will be delivered to the housing unit by a designated unit team member daily. The mail will be opened in your presence and scanned for any contraband. Once the mail has been scanned you must sign for the mail stating that you receive it.

**Out-going Special Mail:** Out-going special mail must be given to the Unit Officer prior to mailing. Once it is determined that the special mail is appropriately addressed, it will be placed in the out-going mail by the Unit Officer. Your name, register number, and correct return address must be on the envelope.

**Inmate Funds:** Upon your commitment, all money in your possession was either credited to your commissary account or secured in a safety deposit box. The Federal Bureau of Prisons has centralized the processing of all incoming inmate funds. All funds for inmates at MDC Los Angeles must be sent to the National Lockbox location at the following address:

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

The institution mail room will not accept funds received from outside the institution. Any funds received will be returned to the sender with specific instructions on how to send the funds to the National Lockbox. Please notify all persons wishing to send you funds, to send all funds to the National Lockbox mailing address (above) and adhere to the following instructions:

- Instruct the sender NOT to enclose personal checks, letters, pictures, or any other items in the envelope. Enclose only the allowable negotiable instrument. The National Lockbox cannot forward any items enclosed with the negotiable instrument to an inmate. Items personal in nature must only be mailed directly to the institution where the inmate is housed.
- Instruct the sender that they must have the inmate's committed name (no nicknames) and register number printed on all money orders; U.S. Treasury, State and local government checks; any foreign negotiable instruments payable in U.S. currency; and envelopes.
- Instruct the sender that their name and return address must appear in the upper left hand corner of the envelope to ensure that their funds can be returned to them in the event they cannot be posted to the inmate's account.

**DNA Collection Procedures:** Congress enacted the Justice for All Act in 2004. This Act amended the list of qualifying Federal Offenses originally set forth in the DNA Analysis Backlog Elimination Act of 2000.



The Bureau's current authorities to collect DNA samples from persons in Bureau custody are as follows:

- Title 42 U.S. C. § 14135a: Collection and use of DNA identification information from certain Federal offenders;
- Title 42 U.S.C. § 14135b: Collection and use of SNA identification information from certain District of Columbia offenders; and
- Title 28 C.F.R. § 28.12: Pursuant to these authorities, the Bureau 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 lawfully admitted for permanent residence as defined by 8 C.F. R. § 1.1(b)).

**Medical Care:** The healthcare mission of the Federal Bureau of Prisons is to provide essential medical and dental services to inmates. Prior to admission to the general population, all newly committed inmates undergo an initial medical assessment by medical staff to include TB testing.

Physical examinations will be performed on all inmates entering the Federal Prison System and inmates who have left the Federal System and have returned. Physical examinations will normally be completed within 14 days of arrival to the institution. Based on Preventive Health Care Practice Guidelines inmates may request a physical evaluation as needed. The health services staff will advise you of the preventive health care practices and counseling. To request a physical evaluation for any of these reasons send a copout to Health Services with your request.

A physical examination shall include the following based on medical indication: chest x-ray, urinalysis, blood tests for syphilis, anemia and other blood infections. For inmates over 50, a rectal exam and electrocardiograph will be offered. If clinically indicated, other blood tests will be obtained. A dental screening examination will be included in the physical examination.

All female inmates shall be offered a pelvic examination to include a PAP smear and breast examination. MDC Los Angeles has services for pre-natal and obstetric care /gynecologic when clinically indicated.

There are several ways you can access the healthcare system at MDC Los Angeles. For routine illnesses, the most common way is through sick call. Sick call is based on the triage system. Sick call triage is held on a daily basis and scheduled based on the need. You can access sick call by completing a medical request form. Forms may be obtained from the Unit Officer. Once completed, place the request form in the sick call box located inside each housing unit. Requests are prioritized and inmates are seen accordingly.

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MDC Los Angeles has Health Services staff on-call 24 hours a day, seven (7) days a week. Visits conducted after normal business hours are classified as emergencies. Emergencies are defined as conditions that are considered life threatening. Contact your Unit Officer if you feel as though your condition is life threatening. The Unit Officer will contact the medical staff and a determination of your condition will be made. If an injury occurs on the job or in the living units, you must report it to the job supervisor or Unit Officer immediately. After the injury is treated, staff will complete all necessary reports.

An advanced directive (living wills) can be placed in your health record. Living wills can be completed at your expense and will be honored at a Federal Medical Center and/or community hospital only.

Dental services are scheduled via sick call request. Pretrial inmates housed at MDC for less than a year are eligible for emergency dental care only. Routine dental care is provided to designated inmates only and inmates housed in SHU or pretrial inmates housed over a year. Routine dental care includes cleaning, fillings, extractions and dentures.

MDC Los Angeles may under certain circumstances, charge an inmate under our care and custody, a fee for providing health care services.

All inmates have access to MDC Los Angeles health care services. MDC Los Angeles will charge a co-pay fee for inmate requested visits to health care providers. However, inmates will not be denied access to necessary health care because of an inmate's financial inability to pay the co-pay fee.

Procedures for Payment for Health Care Services: Generally, an inmate must pay a fee for health care services of \$2.00 per health care visit if you:

- a. receive health care services in connection with a health care visit that the inmate requested (except for services described in non co-pay visits); or
- b. if the inmate(s) are found responsible through the Disciplinary Hearing Process to have injured an inmate, who, as a result of the injury, requires a health care visit.

Health Care Services Provided Without a Co-pay Fee:

- a. Health care services based on staff referrals;
- b. Staff-approved follow-up treatment for a chronic condition;
- c. Preventive health care services;
- d. Emergency services;
- e. Prenatal care;
- f. Diagnosis or treatment of chronic infectious diseases;
- g. Mental health care; or
- h. Substance abuse treatment.

Appealing the Fee: An inmate may seek review of issues related to health service fees through the Bureau's Administrative Remedy Program.

Inmates without Funds: Inmates without funds will not be charged a health care service fee if they are considered indigent and unable to pay the health care service fee.



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An inmate without funds (indigent inmate) is defined as an inmate who has not had a trust fund account balance of \$6.00 for the past 30 days.

Any issues regarding health care services or provisions of care should be addressed using the grievance system. An Inmate Request to Staff (cop-out) should be completed and sent to Health Services. Grievances could also be informally resolved by discussing the case with a Health Service staff member. The Administrative Remedy Procedure should be followed for any grievance not informally resolved.

**HAND HYGIENE:** Hand hygiene is the #1 way to prevent the spread of infectious diseases including the common cold, flu, and even hard-to-treat infections such as methicillin-resistant *Staphylococcus aureus* (MSRA). You can take action by practicing hand hygiene regularly and by asking those around you to practice it as well. You should practice hand hygiene before preparing food, touching your eyes, nose, or mouth after using the restroom, blowing your nose, coughing, or sneezing. Use soap and warm water, rub your hands together until soap lathers for about 15 seconds. Rinse your hands with running water and dry your hands with a clean paper towel.

**CONTINUITY OF CARE:** An inmate releasing from custody (Good Conduct Time, Full Term, to a halfway house, bail, etc.) may request a copy of a medical transfer summary. The summary form could be used for your follow-up with your medical provider upon release.

### **Bureau of Prisons - MDC Los Angeles Patient Rights and Responsibilities**

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

#### *Your Health Care Rights:*

1. You have the right to access health care services based on the local procedures at MDC Los Angeles. Health services include medical, dental and all support services. Inmate co-pay system exists in the institution but Health Services cannot be denied due to lack of personal funds to pay for your care. Emergency health care services are available 24 hours a day, and can be requested by your unit officer.
2. You have the right to know the name and professional status of your health care providers and to be treated with respect, consideration and dignity.
3. You have the right to address any concern regarding your health care to any member of the institution staff including the physician, the Health Services Administrator, members of your Unit Team, the Associate Warden and the Warden.
4. You have the right to provide MDC LA with Advance Directives or a Living Will that would provide the Bureau of Prisons with instructions if you are admitted as an inpatient to a hospital.

## Refer to BOP

5. You have the right to be provided with information regarding your diagnosis, treatment and prognosis. This includes the right to be informed of health care outcomes that differ significantly from the anticipated outcome.
6. You have the right to obtain copies of certain releasable portions of your health record.
7. You have the right to be examined in privacy.
8. You have the right to participate in health promotion and disease prevention programs, including those providing education regarding infectious diseases.
9. You have the right to report complaints of pain to your health care provider, have your pain assessed and managed in a timely and medically acceptable manner, be provided information about pain and pain management, as well as information on the limitations and side effects of pain treatments.
10. You have the right to receive prescribed medications and treatments in a timely manner, consistent with the recommendations of the prescribing health care provider
11. You have the right to be provided healthy and nutritious food. You have the right to instruction regarding a healthy diet.
12. You have the right to Preventive Health Care within the Bureau of Prisons policy guidelines.
13. You have the right to dental care as defined in Bureau of Prisons' Policy to include preventative services, emergency care and routine care.
14. You have the right to a safe, clean and healthy environment, including smoke-free living areas.
15. You have the right to refuse medical treatment in accordance with Bureau of Prisons' Policy. Refusal of certain diagnostic tests for infectious diseases can result in administrative action against you. You have the right to be counseled regarding the possible ill-effects of refusing medical treatment.

### *Your Responsibilities:*

1. You have the responsibility to comply with the health care policies of MDC Los Angeles, and follow recommended treatment plans established for you, by health care providers. You have the responsibility to pay an identified fee for any health care encounter initiated by yourself, excluding emergency care. You will also pay the fee for the care of any other inmate on whom you intentionally inflict bodily harm or injury.
2. You have the responsibility to treat these providers as professionals and follow their instructions to maintain and improve your overall health.



3. You have the responsibility to address your concerns in the accepted format, such as the Inmate Request to Staff form, main line, or the accepted Inmate Grievance Procedures.
4. You have the responsibility to provide the Bureau of Prisons with accurate information to complete this agreement.
5. You have the responsibility to keep this information confidential.
6. You have the responsibility to be familiar with the current policy and abide by such to obtain these records.
7. You have the responsibility to comply with security procedures should security be required during your examination.
8. You have the responsibility to maintain your health and not to endanger yourself, or others, by participating in activity that could result in the spreading or catching an infectious disease.
9. You have the responsibility to communicate with your health care provider honestly regarding your pain and your concerns about your pain. You also have the responsibility to adhere to the prescribed treatment plan and medical restrictions. It is your responsibility to keep your provider informed of both positive and negative changes in your condition to assure timely follow up.
10. You have the responsibility to be honest with your health care provider(s), to comply with prescribed treatments and follow prescription orders. You also have the responsibility not to provide any other person your medication or other prescribed item.
11. You have the responsibility to eat healthy and not abuse or waste food or drink.
12. You have the responsibility to notify medical staff that you wish to have an examination.
13. You have the responsibility to maintain your oral hygiene and health.
14. You have the responsibility to maintain the cleanliness of personal and common areas and safety in consideration of others. You have the responsibility to follow smoking regulations.
15. You have the responsibility to notify health services regarding any ill-effects that occur as a result of your refusal. You also accept the responsibility to sign the treatment refusal form.

#### PSYCHOLOGY SERVICES

Mental health services: There are full-time psychologists, psychology interns, and a contract psychiatrist working at the MDC Los Angeles to provide services for mental health issues. Psychology interns are professional psychology staff, under the direct supervision of licensed

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staff psychologists, working to gather the required hours of supervised experience to become a licensed psychologist. People have a variety of normal adjustment reactions to incarceration, including anxiety, sadness, grief from a sense of loss of freedom, and sleep or appetite disturbance. However, some individuals have a more difficult adjustment reaction or have long-standing mental health concerns that may need attention from mental health professionals. The mental health services available include crisis intervention, suicide prevention, limited group therapy, limited individual therapy, limited substance abuse treatment, and psychiatric medication consultation.

Depending upon how you answered questions about mental health treatment history, psychotropic medications, suicide attempt history or present ideation, and desire for contact with psychology on the Psychology Screening Questionnaire that each inmate completes upon admissions to the institution, a member of the department will make contact with you to discuss these issues. However, if you think that you need assistance for mental health concerns, if you are interested in Psychology Services, or if you are experiencing a personal crisis, you can contact Psychology Services by submitting an Inmate Request to Staff form, addressed to the psychology department, talk directly to a psychologist that enters the unit, or notify the unit officer that you need to speak to someone in Psychology Services.

Mental health professionals may also contact you to conduct an evaluation of your mental health or medical status. The evaluation contact may take place as a result of mental health concerns that arise during the admission screening process, a court ordered evaluation, medical department referral; or a referral by the Unit Team, Lieutenants, or Work Supervisors (summary of findings is not confidential, but personal details are).

**Suicide prevention:** It is not uncommon for people to experience feelings of depression and hopelessness while in jail or prison. This is more likely if it is their first time arrested, newly incarcerated, serving a lengthy sentence, experiencing problems with family or getting along with other inmates, or receives bad news about their case or about their personal lives. Some inmates may consider committing suicide due to those issues or pressure they experience.

Staff are trained to monitor inmates for signs of suicide risk and to refer all concerns to the Psychology Department. However, sometimes staff are not aware of what inmates may see or know about. If you are experiencing any of the difficulties mentioned, or you or another inmate are showing signs of depression (sadness, tearfulness, loss of interest in your daily lives), withdrawal (staying away from others, not wanting to have contact with family or friends), or hopelessness (giving away possessions, or stating that there is nothing left to live for, or just giving up), please alert a staff member right away. Your information could save a life.

**If at any time you experience thoughts or impulses to harm yourself, please contact staff immediately by informing the officer on the unit where you are housed. It does not matter what time of day or night, just notify the officer so that he/she can summon assistance from the mental health staff. Your concerns will be taken seriously and managed with care and consideration.**



**Confidentiality:** The content of what is discussed during a mental health contact is confidential except when information is disclosed that indicates you plan to harm yourself or others, plan to escape, have been the victim of or have engaged in child/elder physical or sexual abuse, or there are general safety or security concerns. Also, mental health contacts are documented in a psychology file that may be forwarded to psychology staff at your designated institution once you are sentenced, and, in rare cases the Court may subpoena these files.

**Drug treatment in the Bureau of Prisons:** Some services are available at MDC Los Angeles including crisis intervention and support to those who are detoxing from drugs or alcohol. Drug and Alcohol Education groups are available on various floors, and Alcoholics Anonymous meetings are sometimes available on the female and male units. Every institution has a 40 hour drug education program that accepts volunteers. This program resembles a classroom-like situation where the various facets of drug addiction are discussed. For those with sentences of 15 months or longer, many institutions have a Residential Drug Abuse Treatment Program. This program is nine months in length and involves three to four hours of treatment each day. Inmates who participate all live together on the same unit. In some cases, completing the Residential Drug Treatment Program may result in a year reduction in the time incarcerated. If you are interested in a Bureau of Prisons, Residential Drug Treatment Program, send an Inmate Request to Staff regarding the request, and your name will be placed on a waiting list. This request for treatment will then be considered if you are designated to another institution.

**Sexually Abusive Behavior Prevention and Intervention:** 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.

According to federal law (Prison Rape Elimination Act of 2003) sexually abusive behavior is defined as rape, carnal knowledge, oral sodomy, sexual assault with an object, sexual fondling, and sexual misconduct. Rape is the carnal knowledge, oral sodomy, or sexual assault with an object or sexual fondling of a person forcibly or against the persons will. Carnal knowledge, oral sodomy, or sexual assault with an object or sexual fondling of a person not forcibly or against the persons will is also considered rape; where the victim is incapable of giving consent because of his or her youth or temporary or permanent mental or physical incapacity is also considered rape. Carnal knowledge is defined as contact between the penis and vulva or the penis and the anus, including penetration of any sort, however slight. Oral sodomy is defined as contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus. Sexual assault with an object can include 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 providers performing body cavity searches in order to maintain security and safety within the prison). Sexual fondling includes 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 misconduct (staff only) can include the use of indecent sexual language, gestures, or sexually oriented visual surveillance for the purpose of sexual gratification.

While you are incarcerated, no one has the right to pressure you to engage in sexual acts. You do not have to tolerate sexual assault or pressure to engage in unwanted sexual behavior regardless of your age, size, race, or ethnicity. Whether you are heterosexual, gay, lesbian, or bisexual, you have the right to be safe from unwanted sexual advances and acts. If you feel that your right to be left alone sexually is being violated, staff are available to help you deal with the problem. You should feel free to discuss your concerns about sexual assault with any staff member. Although the topic can be difficult to discuss, some staff, like psychologists, are specially trained to help you deal with problems in this area. However, if you are in an emergency situation, approach any staff member. It is part of their job to ensure your safety.

If you become a victim of a sexually abusive behavior, **you should report it immediately to staff.** The staff will offer you protection from the assailant and refer you for a medical examination and clinical assessment. Even though you may want to do otherwise after the assault, it is important to see medical staff before you shower, wash, drink, eat, change clothes or use the restroom. Medical staff will examine you for injuries which may or may not be readily apparent to you. You may also be tested for sexually transmitted diseases and staff may gather physical evidence of the assault. The individuals who sexually abuse or assault other inmates can only be disciplined 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.**

It is important that you tell a staff member if you have been sexually assaulted. It is also 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. 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). Information concerning the identity of an inmate-victim reporting a sexual assault, and the fact of the report itself, shall be limited to those who have a "need to know" in order to make decisions concerning the inmate-victim's welfare and for law-enforcement/investigative purposes. 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.

You have options to confidentially report sexually abusive behavior. You may write directly to the Warden, Regional Director or Director; file an Administrative Remedy; or write the Office of the Inspector General (OIG). You can request an Administrative Remedy (BP-9), or send the Warden an Inmate Request to Staff 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. If you feel that the complaint is too sensitive to file with the Warden, you have the opportunity to file an administrative remedy directly with the Regional Director (BP-10).



The BP-10 is obtained from your counselor or unit team staff. You do not have to disclose the reason for requesting the BP-10 to the unit team staff when requesting the form. You may also submit the BP-10 directly to the Regional Director rather than returning it to staff at the MDC Los Angeles. The address for the Western Regional Office is: Western Regional Office, 7338 Shoreline Drive, Stockton, California, 95219.

You may also write the Office of the Inspector General (OIG), which investigates allegations of staff misconduct. The OIG is under the Department of Justice and not part of the Bureau of Prisons. The address for OIG is: Office of the Inspector General, P.O. Box 27606, Washington, D.C., 20530.

Once the sexually abusive behavior is reported, the Bureau of Prisons and 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 filed, you may be asked to testify during the criminal proceedings.

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

Some ways to protect yourself against sexual assault include: 1) Not accepting gifts or favors from other inmates, 2) remain alert by not using illegal substances such as alcohol and drugs, 3) be direct and firm with other inmates if they want you to do something that you don't want to do, 4) don't give mixed messages to other inmates regarding your wishes for sexual activity, 5) avoid out of the way or poorly lit areas, 6) choose associates who appear "safe", 7) do not accept an offer from another inmate to be your protector, 8) carry yourself in a confident manner at all times, not permitting your emotions to be obvious to others, and 9) trust your instincts and don't get involved in situations that you may sense are dangerous. In addition, choose your associates wisely; look for people who are involved in positive activities, like educational programs, psychology groups, or religious services. Get involved in those activities yourself.

For those that think about sexually attacking another inmate, remember that sexual assault is a serious crime. Anyone who sexually abuses/assaults others while in the custody of the BOP will be disciplined and prosecuted to the fullest extent of the law. The Bureau of Prisons will investigate and refer cases to outside law enforcement of all reported sexual assault incidents. If you are found guilty of sexual assault, you will be subject to disciplinary segregation and disciplinary actions such as loss of good time, delay of release; and additional criminal charges. 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.

Inmates who engage in inappropriate sexual behavior can be charged with the following prohibited acts under the Inmate Disciplinary Policy: Code 101 Sexual Assault; Code 205 Engaging in a Sex Act; Code 206 Making a Sexual Proposal; Code 221 Being in an Unauthorized Area with a Member of the Opposite Sex; Code 300 Indecent Exposure; Code 404 Using Abusive or Obscene Language.

The Standards of Employee Conduct prohibit employees from engaging in, or allowing another person to engage in sexual, indecent, or 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.

Note that 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 the illegal. Inmates who have been sexually 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.

If you have been the victim of a sexual assault, domestic violence, or physical abuse, and would like to talk to mental health professionals about the concerns, please contact Psychology Services by submitting an Inmate Request to Staff to Psychology Services.

#### DISCIPLINARY PROCEDURES

Discipline: It is the policy of the Bureau of Prisons to provide a safe and orderly environment for all inmates. Violations of Bureau rules and regulations are dealt with by the UDC and for more serious violations, the DHO. Inmates are advised upon arrival at the institution, of the rules and regulations, and are provided with copies of the Bureau's prohibited acts, as well as local regulations. Staff shall advise the court of repeated or serious disruptive behavior by a pretrial inmate.

Inmate Discipline Information: If a staff member observes or believes he or she has evidence that an inmate has committed a prohibited act, the first step in the disciplinary process is writing an incident report. This is a written copy of the charges against the inmate. The incident report shall ordinarily be delivered to the inmate within (24) hours of the time staff become aware of the inmate's involvement in the incident. An informal resolution of the incident report (300/400 series only) may be attempted by a lieutenant. If an informal resolution is accomplished, the incident report will be removed from the inmate's central file.

Initial Hearing: Inmates must ordinarily be given an initial hearing within five working days of the time staff become aware of the inmate's involvement in the incident (excluding day staff become aware of the incident, weekends, and holidays). The inmate is entitled to be present at the initial hearing. The inmate may make statements or present documentary evidence in his or her behalf. The UDC must give its decision in writing to the inmate by the close of business the next work day. The UDC may extend the time limits of these procedures for good cause. The Warden must approve any extension over



5 days. The inmate must be provided with written reasons for any extension. The UDC will either make final disposition of the incident (300/400 series only), or refer it to the DHO for final disposition.

**Disciplinary Hearing Officer (DHO):** The DHO conducts disciplinary hearings on serious rule violations. The DHO will only conduct a hearing on the incident report if referred by the UDC.

An inmate will be provided with advance written notice of the charges not less than 24 hours before the inmate's appearance before the DHO. The inmate may waive this requirement. An inmate will be provided with a full-time staff member of their choice to represent them, if requested and available. An inmate may make statements in his or her own defense and may produce documentary evidence. The inmate may present a list of witnesses and request to testify at the hearing. Inmates may not question a witness at the hearing; the staff representative and/or the DHO will question any witness for the inmate. An inmate may submit a list of questions for the witness(es) to the DHO if there is no staff representative. The DHO will request a statement from all unavailable witnesses whose testimony is deemed relevant.

The inmate has the right to be present throughout the DHO hearing, except during deliberations. The inmate charged may be excluded during appearances of outside witnesses or when institution security could be jeopardized. The DHO may postpone or continue a hearing for good cause. Reasons for the delay must be documented in the record of the hearing. Final disposition is made by the DHO.

**Appeals of Disciplinary Actions:** Appeals of all disciplinary actions may be made through Administrative Remedy procedures. Appeals are made to the Warden (BP-9), Regional Director (BP-10), and General Counsel (BP-11).

**Special Housing Unit (SHU):** There are two components of the SHU: Administrative Detention and Disciplinary Segregation.

Administrative Detention separates an inmate from the general population. To the extent practical, inmates in Administrative Detention shall be provided with the same general privileges as inmates in general population. An inmate may be placed in Administrative Detention when the inmate is in holdover status during transfer, is a new commitment pending classification, pending investigation or a hearing for a violation of Bureau regulations, pending investigation or trial for a criminal act, or pending transfer for protection.

Disciplinary Segregation is used as a sanction for violations of Bureau rules and regulations. Inmates in Disciplinary Segregation will be denied certain privileges. Personal property will usually be impounded. Inmates may possess legal and religious materials while in segregation. Also, staff shall provide a reasonable amount of non-legal reading material. Inmates shall be seen by a member of the medical staff daily, including weekends and holidays. A unit team member will visit the SHU daily. The Captain also conducts periodic reviews of inmates in segregation. Inmates in both Administrative Detention and Disciplinary Segregation are provided regular reviews of their housing status.

## SUMMARY OF DISCIPLINARY SYSTEM PROCEDURES

TABLE 1

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



TIME LIMITS IN DISCIPLINARY PROCESS

TABLE 2

1.	Staff becomes aware of inmate's involvement in incident (ordinarily maximum of 24 hours).
2.	Staff gives inmate notice of charges by delivering incident report (minimum of 24 hours unless waived).
3.	Initial hearing (UDC). Ordinarily maximum of 5 work days from the time staff became aware of the inmate's involvement in the incident (excludes the day staff became aware of the inmate's involvement, weekends and holiday).
4.	DHO hearing.

PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE

TABLE 3

GREATEST SEVERITY LEVEL PROHIBITED ACTS

CODE	PROHIBITED ACTS	SANCTIONS
100	Killing	A-M
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)	

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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	



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	not accurate. The offending conduct must be charged as "most like" one of the listed Greatest severity prohibited acts.	
<b>HIGH SEVERITY LEVEL PROHIBITED ACTS</b>		
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.	A-M
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.	

<del>218</del>	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).	
<del>220</del>	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)	
<del>224</del>	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.	
<del>227</del>	Refusing to participate in a required physical test or examination unrelated to testing for drug abuse (e.g., DNA, HIV, tuberculosis).	
<del>228</del>	Tattooing or self-mutilation.	
229	Sexual assault of any person, involving non-consensual touching without force or threat of force.	
<del>296</del>	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	



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	sent to an unauthorized person; and using a fictitious return address in an attempt to send or receive unauthorized correspondence).	
<del>295</del>	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.	
<b>MODERATE SEVERITY LEVEL PROHIBITED ACTS</b>		
300	Indecent Exposure.	A-M
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.	
<del>305</del>	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	

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	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.	



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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, <del>smoking apparatus and tobacco</del> 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.	
336	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.	
337	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	

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	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.	
<b>LOW SEVERITY LEVEL PROHIBITED ACTS</b>		
400	(Not to be used)	B1-M
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.	



## Refer to BOP

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

When the prohibited act is Interfering with a Staff Member in the Performance of Duties (Code 198, 298, 398, 498), or Conduct Which Disrupts (Code 199, 299, 399, or 499), the DHO or UDC, in its findings should indicate a specific finding of the severity level of the conduct, and a comparison to an offense (or offenses) in that severity level which the appropriate committee finds is most comparable. For example, AWe find the act of to be of High Severity, most comparable to prohibited act 212, Engaging in a Group Demonstration.

**Available Sanctions** (upon finding the inmate committed the prohibited act(s)):

**(A) Recommend Parole Date Rescission or Retardation.** The DHO may recommend retardation or rescission of parole grants to the U.S. Parole Commission or respective parole authority.

**(B) Forfeit Earned Statutory Good Time, Non-vested Good Conduct Time, or Terminate or Disallow Extra Good Time.**

*Forfeited good conduct time (GCT) is not eligible for restoration. However, forfeited statutory good time (SGT) may be restored. Restoration of statutory good time is approved at initial eligibility only when the inmate has shown a period of improved good behavior. When the Warden (or designee) denies restoration of forfeited statutory good time, the unit team notifies the inmate of the reasons for denial. The unit team establishes a new eligibility date, not to exceed six months from the date of denial.*

An application for restoration of statutory good time is forwarded from the inmate's unit team, through the DHO and Captain for comments, to the Warden for final decision. Inmates who committed their crimes on or after November 1, 1987, and are sentenced under the Sentencing Reform Act provisions of the Comprehensive Crime Control Act, are only eligible to receive 54 days GCT credit (18 U.S.C. 3624(b)). This credit is given at the end of each year served and, once given, is vested. For these inmates, the DHO's authority is final and subject only to review by the Regional Director to ensure conformity with the discipline policy and by inmate appeal through Administrative Remedy procedures.

The statutory good time available for forfeiture is limited to an amount computed by multiplying the months served at the time of the offense for which forfeiture is taken, by the applicable monthly rate specified in 18 U.S.C. 4161 (less previous forfeiture or withholding). The amount of GCT available for forfeiture is limited to total days in "non-vested" status at the time of misconduct (less previous forfeiture). Forfeiture of GCT may not be suspended.

Disallowance of extra good time is limited to extra good time for the calendar month in which the violation occurs. It may not be withheld or restored. The sanction of termination or disallowance of extra good time may not be suspended.

## Refer to BOP

Forfeited GCT will not be restored. Authority to restore forfeited statutory good time is delegated to the Warden, and may not be delegated lower than the Associate Warden level. Limitations on this sanction and eligibility for restoration are based on the severity scale.

To ensure an inmate's case is not overlooked when statutory good time has been forfeited, the unit manager will ensure the eligibility requirements are reviewed for restoration per the time frames in the Program Statement on Classification and Program Review of Inmates. A recommendation of the unit team for or against restoration is forwarded to the Warden through the DHO and Captain. Except as noted, eligibility for restoration of forfeited statutory good time is computed from the date of the withholding or forfeiture action by the DHO.

An inmate who has escaped and receives forfeiture at a subsequent in absentia hearing begins the eligibility for restoration period upon return to Bureau custody. The Warden refers to the Regional Director any case where exceptional circumstances support restoration of statutory good time before completion of the eligibility requirements.

Sanction B does not apply to inmates committed under the Comprehensive Crime Control Act for crimes committed on or after November 1, 1987, and prior to passage of the Violent Crime Control and Law Enforcement Act of 1994 (September 23, 1994). For those inmates, the applicable sanction is B.1.

**(B.1) Disallowance of Good Conduct Time.** An inmate sentenced under the Sentencing Reform Act provisions of the Comprehensive Crime Control Act (committed a crime on or after November 1, 1987) may not receive statutory good time, but is eligible to receive 54 days GCT credit each year (18 U.S.C. 3624(b)). Once awarded, the credit is vested, and may not be disallowed.

Crimes committed on or after September 13, 1994, and before April 26, 1996, (VCCLEA) credit is not vested unless the inmate has earned or is making satisfactory progress toward a high school diploma or equivalent degree (or is exempt because of a learning disability).

For crimes committed on or after April 26, 1996, (PLRA and SRAA) GCT credit is not vested until the day the inmate is released. Once disallowed, the credit may not be restored, except by immediate review or appeal as indicated below. Prior to this award being made, the credit may be disallowed for an inmate found to have committed a prohibited act.

A sanction of GCT disallowance may not be suspended. Only the DHO can take action to disallow GCT. The DHO considers the severity of the prohibited act and the suggested disallowance guidelines in making a determination.

A decision to go above the guideline is warranted for a greatly aggravated offense or a repeated violation of another prohibited act within a relatively short time (e.g., within 24 months for a greatest severity level prohibited act, 18 months for a high severity level prohibited act, and 12 months for a moderate severity level prohibited act). A decision to go below the guidelines is warranted for strong mitigating factors. A decision above or below the guidelines is justified in the DHO report.

VCCLEA inmates rated "violent" and PLRA inmates are ordinarily disallowed GCT for each prohibited act they are found to have committed at a DHO hearing, consistent with the following:



- **Greatest Severity Level Offenses.** A minimum of 41 days (or, if less than 54 days are available for the prorated period, a minimum of 75% of available GCT) for each act committed.
- **High Severity Level Offenses.** A minimum of 27 days (or, if less than 54 days are available for the prorated period, a minimum of 50% of available GCT) for each act committed.
- **Moderate Severity Level Offenses.** A minimum of 14 days (or, if less than 54 days are available for the prorated period, a minimum of 25% of available GCT) for each act committed if the inmate has committed two or more moderate severity level offenses during the current anniversary period.
- **Low Severity Level Offenses.** A minimum of 7 days (or, if less than 54 days are available for the prorated period, a minimum of 12.5% of available GCT) for each act committed if the inmate has committed three or more low moderate offenses during the current anniversary period.

Except for VCCLEA inmates rated "violent" or PLRA inmates, Sanction B.1 may be imposed on the Low severity level only where the inmate has committed a Low severity level act more than once within a six-month period.

GCT credit may only be given to an inmate serving a sentence of more than one year, but less than life. In the last year or part of a year of an inmate's sentence, only the GCT available for the time remaining may be disallowed.

(C) **Disciplinary Segregation.** The DHO may direct that an inmate be placed or retained in disciplinary segregation. Consecutive disciplinary segregation sanctions can be imposed for inmates found to have committed offenses that are part of different acts only. Limits on time in disciplinary segregation are based on the severity scale (see Tables 1 and 2).

Unless otherwise specified by the DHO, disciplinary segregation placements for different or separate prohibited acts are imposed consecutively.

(D) **Make Monetary Restitution.** The DHO may direct that an inmate reimburse the U.S. Treasury for damages to U.S. Government property that the individual caused or contributed to. The UDC is prohibited from imposing the sanction of make monetary restitution.

Commissary privileges should be suspended by the DHO until restitution is made. See the Program Statement **Trust Fund/Deposit Fund Manual** for instructions regarding impoundment of inmate funds.

(E) **Monetary Fine.** The DHO may direct that an inmate pay a fine, as follows:

- Greatest severity level offense - Up to \$500, or 75% of the inmate's trust fund balance.
- High severity level offense - Up to \$300, or 50% of the inmate's trust fund balance.
- Moderate severity level offense - Up to \$100, or 25% of the inmates trust fund balance.

## Refer to BOP

- Low severity level offense - Up to \$50, or 12.5% of the inmate's trust fund balance.

Commissary privileges should be suspended until the fine is paid. See the Trust Fund/Deposit Fund Manual for instructions regarding impoundment of inmate funds.

This sanction cannot be used as a form of monetary restitution. The UDC is prohibited from imposing the sanction of monetary fine.

(F) **Loss of Privileges** (e.g., visiting, telephone, e-mail, commissary, movies, recreation). The DHO or UDC may direct that an inmate forego specific privileges for a specified time.

The DHO or UDC may impose non-contact visiting or immediate family-only visitation in addition to loss of visiting.

Loss of recreation privileges (exercise periods) may not be imposed on inmates in a Special Housing Unit (SHU), but may be used for general population inmates.

The DHO or UDC may impose a loss of mattress sanction from lights on to lights off for inmates in the SHU. Staff must ensure the inmate has a mattress from lights off to lights on.

(G) **Change Housing (Quarters)**. The DHO or UDC may direct that an inmate be moved to other housing.

(H) **Remove from Program or Group Activity**. The DHO or UDC may direct that an inmate not participate in any program or group activity for a specified time.

(I) **Loss of Job**. The DHO or UDC may direct that an inmate be removed from his/her present job or assigned to another job.

(J) **Impound Inmate's Personal Property**. The DHO or UDC may direct that an inmate's personal property be stored in the institution for a specified time.

(K) **Confiscate Contraband**.

(L) **Restrict Quarters**. The DHO or UDC may direct that an inmate be confined to quarters or its immediate area for a specified time.

(M) **Extra Duty**. The DHO or UDC may direct that an inmate perform tasks other than those performed during his/her regular job.



## Refer to BOP

### SANCTIONS FOR REPETITION OF PROHIBITED ACTS WITHIN SAME CATEGORY

When the UDC of DHO finds that an inmate has committed a prohibited act in the Low Moderate, Moderate, or High category and when there has been a repetition of the same offense(s) within recent months (offenses for violation of the same code), increased sanctions are authorized to be imposed by the DHO according to the following table. (Note: An informal resolution may not be considered as a prior offense for purposes of this table).

Prohibit ed Act Severity Level	Time Period for Prior Offense (same code)	Frequency of Repeated Offense	Additional Available Sanctions
Low Severity (400 level)	6 months	2 <sup>nd</sup> 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).
		3 <sup>rd</sup> or more offense	
Moderate Severity (300 level)	12 months	2 <sup>nd</sup> 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).
		3 <sup>rd</sup> or more offense	
High Severity (200 level)	18 months	2 <sup>nd</sup> offense	1. Disciplinary segregation (up to 12 months).  2. Forfeit earned SGT or non-vested GCT up to 75% or up to 90 days,

## Refer to BOP

		3 <sup>rd</sup> or more offense	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 <sup>nd</sup> or more offense	Disciplinary Segregation (up to 18 months).



# Refer to BOP

## COMMONLY REQUESTED ADDRESSES

Amtrak  
800 North Alameda Street  
Los Angeles, CA 90012  
800-872-7245

Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue  
Washington, D.C. 20530

Bureau of Immigration & Customs  
Enforcement (ICE)  
300 North Los Angeles Street  
Los Angeles, CA 90012

Consulate General-Canada  
550 S. Hope Street, 9<sup>th</sup> Floor  
Los Angeles, CA 90071

Consulate General-China  
443 Shatto Place  
Los Angeles, CA 90020

Consulate General-Mexico  
2401 West Sixth Street  
Los Angeles, CA 90057

Director  
Federal Bureau of Prisons  
320 First Street, N.W.  
Washington, D.C. 20534

Federal Bureau of Investigations  
11000 Wilshire Blvd., Suite 1700  
Los Angeles, CA 90024

Federal Public Defender  
Central California  
321 East 2<sup>nd</sup> Street

Greyhound Bus  
1716 East 7<sup>th</sup> Street  
Los Angeles, CA 90021  
213-629-8401

Inmate Mailing Address:  
Full Name and Register Number  
MDC Los Angeles  
P O Box 1500  
Los Angeles, CA 90053

Lockbox Address:  
Federal Bureau of Prisons  
Name and Register Number  
P.O. Box 474701  
Des Moines, Iowa 50947-0001

Regional Director  
Western Region Office  
7338 Shoreline Drive  
Stockton, California 95219

U.S. District Court House  
312 North Spring Street  
Los Angeles, CA 90012

U.S. District Court  
Roybal Federal Building  
255 E. Temple Street  
Los Angeles, CA 90012

U.S. Marshal Services  
312 North Spring Street, Rm G-23  
Los Angeles, CA 90012

U.S. States Parole Commission  
90 K Street, NE Third Floor  
Washington, D.C. 20530

U.S. Probation  
312 North Spring Street, Suite 600  
Los Angeles, CA 90012

Revised August 2012

# Federal Bureau of Prisons

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Metropolitan Detention Center  
Los Angeles, California

Obtaining Records and Information





# MDCLA

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- Administrative Mission
- Pre-trial Inmates
  - Who has legal custody?
  - Exception



# Competency Evaluations

---

18 U.S.C. §§ 4241, 4242, 4244

- Court order(s)
- Time frames

**Call us, we have samples!**



# Visiting Procedures

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- Social Visits for GP Inmates
  - Conducted in visiting room
  - Exception: Televisiting for disruptive inmates
    - Monitored via video
- Legal Visits for GP Inmates
  - Conducted in private rooms within visiting room
- SHU Inmates
  - Televisiting
  - No-contact room

# Proffers

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- Requirements for Request
  - ✓ Name, Register Number of Inmate
  - ✓ Meeting Participants
  - ✓ Date, Time, Length of Meeting
- Limitations

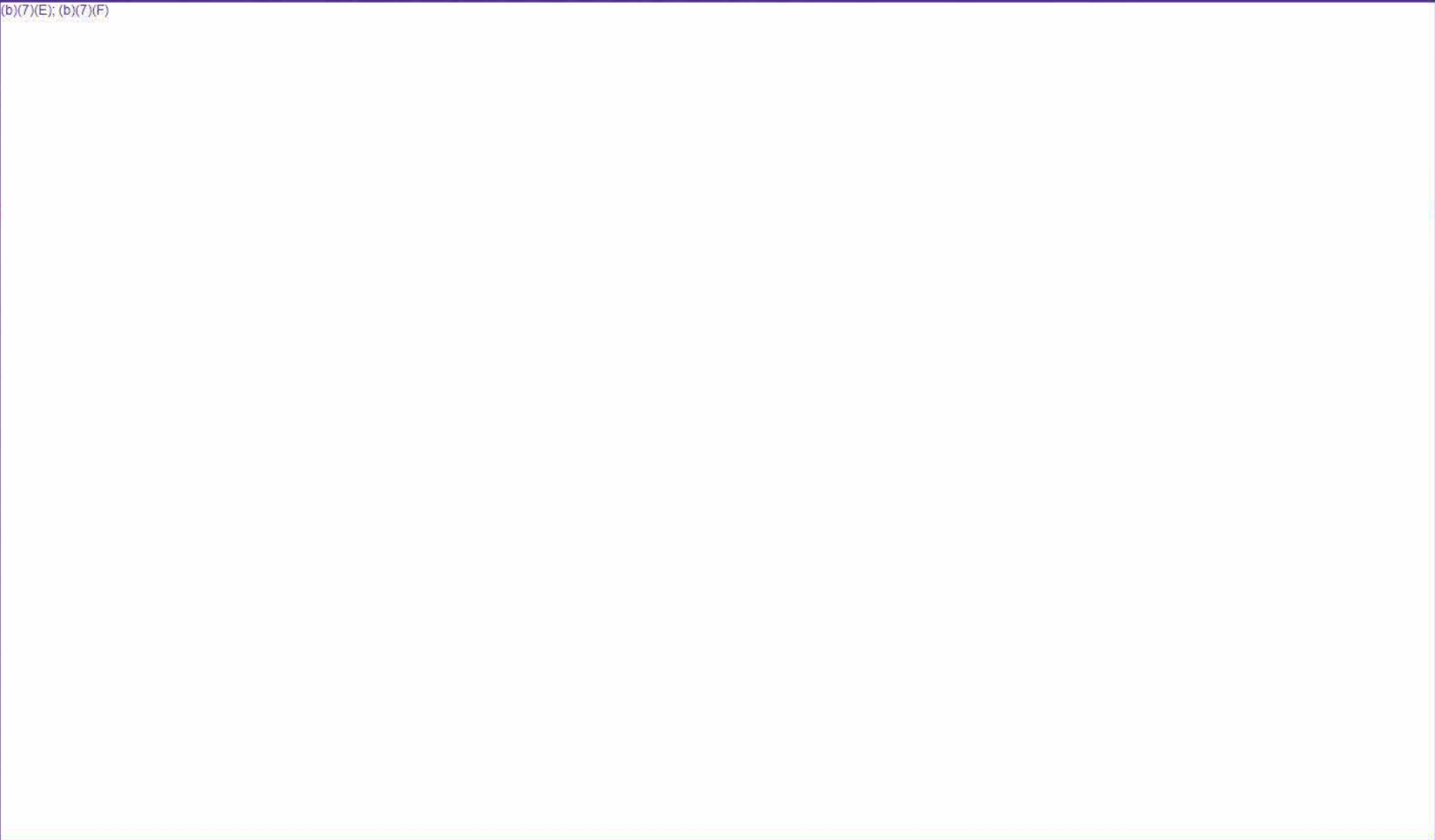


# Inmate Telephone Calls


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- Monitored
- Unmonitored
  - GP inmates have access to FPD phone
  - Can make a request through Unit Team
- SHU Inmates
  - Unlimited legal calls
    - Need to make request
  - Social calls
    - What is the inmate's classification?

(b)(7)(E); (b)(7)(F)



(b)(6); (b)(7)(C)





# Separation Requests

- Written Request
  - Be specific
  - Include Inmate Name and Register Number or other Identifying Information
- Effective for all inmate movement
- To make request, contact:
  - USMS

(b)(6); (b)(7)(C)

# MEDICAL ISSUES:

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- Complaints about medical care
- Medical records
- Contractors, scheduling
- Responses to Ex Parte Applications
- Court appearances



# MEDICAL ISSUES: Attempts at Resolution

(b)(5)

- (Formal) administrative remedies? Sick call?
- Non-public information

## MDC receives complaint:

- Same responses


(b)(5)

# MEDICAL ISSUES:

## Medical Records

### Dental, Medical, Mental Health

- AUSA:
  - Law-enforcement request
- Defense Counsel:
  - Inmate request
  - FOIA
  - Request through AUSA
  - Subpoena (*Touhy*)
  - Court Order (last resort)



(Telling us why,  
not just what you  
need helps us  
help you.)



# MEDICAL ISSUES: Contractors

- Inmates are referred to outside providers for many procedures

(b)(7)(F)

- Providers dictate their own availability
- Safety and security reasons prohibit sharing exact outside appointment dates
- BOP HAS NO LEGAL AUTHORITY OVER PROVIDERS

# MEDICAL ISSUES:

## Ex Parte Applications/Court Orders

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- Call BOP!
- Appropriate response



# MEDICAL ISSUES: Court Appearances

(b)(5)

# Document Requests: What documents exist?

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## BOP & Inmate Records

- Paper
- Electronic

## Inmate Communication with the Outside World:

- Visiting
- Telephone Calls (previous 6 months)
- TRULINCS (previous 6 months)
- U.S. Mail (rarely)

## Retention



# Document Requests:

## What can you request by letter?

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- Almost all BOP records
- Inmate records
  - Administrative
  - Medical / Dental / Mental Health
  - Electronic Messaging

Subpoena is required only when requesting copies of recorded inmate telephone calls

# Document Requests: SUPBOENAS

## Content

- Direct to “Custodian of Records”
- Inmate name, register number, start/end date of calls (cannot be prospective), phone numbers (if applicable for request or exclusion)
- Agent Name/Telephone Number
- Do not subpoena emails

## Service Alternatives

- Drop off at the front desk
- Fax to SIS Dept.: (b)(6); (b)(7)(C)

## What happens next?



# SENTENCING ISSUES

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## DANGER AREAS

- Sentencing Credits
- Concurrent / consecutive with state / federal sentences
- Location / jurisdiction for incarceration
- Residential Drug Abuse Program (RDAP)
- Restitution
  - Before you agree to anything,

**CALL US FIRST!!**

# Contact Information

Consolidated Legal Center, Los Angeles

535 N. Alameda Street

Los Angeles, CA 90012

(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

@bop.gov

(b)(6); (b)(7)(C)

@bop.gov

(b)(6); (b)(7)(C)

@bop.gov

(b)(6); (b)(7)(C)

@bop.gov

(b)(6); (b)(7)(C)

@bop.gov

(b)(6); (b)(7)(C)

@bop.gov



# **Law Enforcement Requests for Records and Discovery**

June 24, 2011  
Federal Bureau of Prisons  
Los Angeles Consolidated Legal Center

It is the mission of the Federal Bureau of Prisons to protect society by confining offenders in the controlled environment of prisons and community-based facilities that are safe, humane, cost efficient, and appropriately secure, and that provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens.

## **BOP Mission Statement**

- Sentenced, designated inmates- **BOP**
- All other inmates (i.e., pre-trial inmates)-  
**United States Marshals Service**

pursuant to 18 U.S.C. § 4086

*Exception:* pre-trial individuals  
ordered to undergo a mental  
competency evaluation pursuant to 18  
U.S.C. §§ 4241, 4242, 4244- **BOP**

**Custody of inmates**



- 18 U.S.C. § 4241- Determination of mental competency to stand trial to undergo postrelease proceedings
- 18 U.S.C. § 4242- Determination of the existence of insanity at the time of the offense
- 18 U.S.C. § 4244- Hospitalization of a convicted person suffering from mental disease or defect
- **We have go-bys!!! Call us!!!**

**Mental Competency Evaluations  
Ordered by the Court**

- Be specific
- Include Inmate Name and Register Number or other Identifying Information
- Effective for all inmate movement
- To make request, contact:
  - USMS

(b)(6); (b)(7)(C)

## Separation Requests

- Types of BOP documents available:
  - Central File or “Skinny File” for pre-trial inmates
  - BOP Medical Records
  - Disciplinary Records
  - SIS Investigation Files
  - DHO reports/packets
  - Telephone Transaction Data
  - Psychology Records
  - Movement/Admission & Release History
  - Prison Account Records (TRUFACTS)
  - Administrative Remedies
  - Electronic Messaging (TRULINCS)

## Law Enforcement Requests for Records



(b)(5); (b)(7)(E)

# SIS Investigations

(b)(7)(E)

# Surveillance

- Inmates use computers for . . .
  - E-Disco
  - Law Library
  - And More!

**Criminal E-Discovery**



- E-DISCO

- Reviewing E-discovery from CDs, hard drives

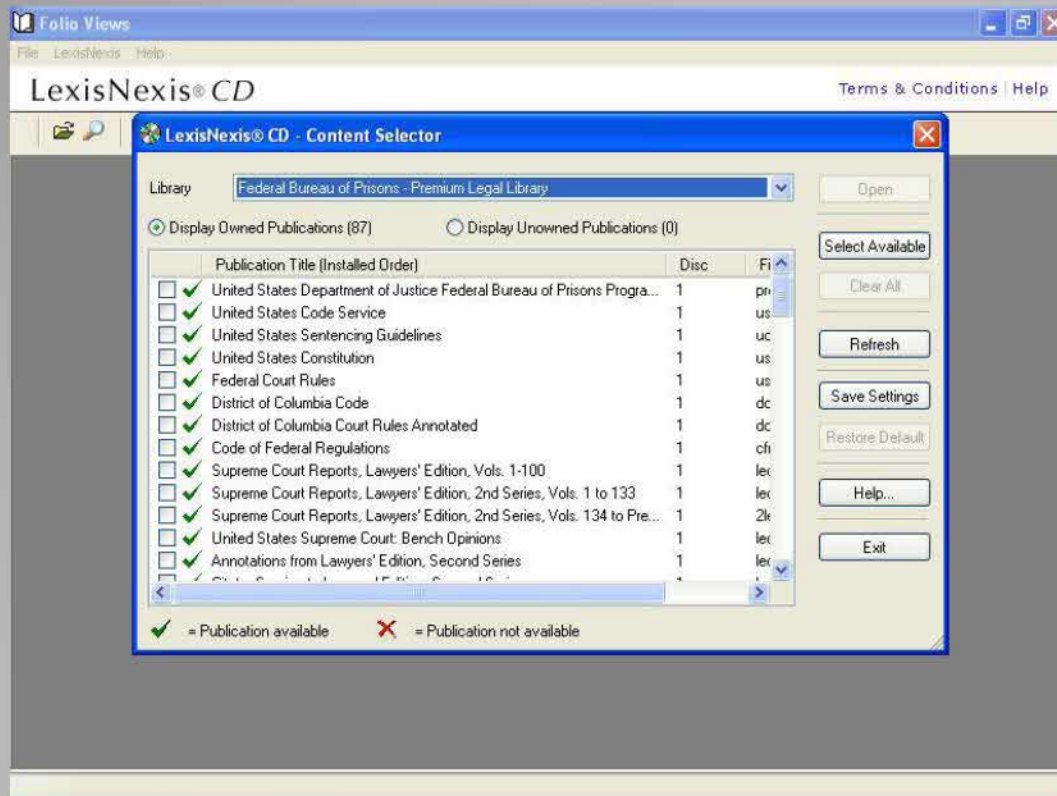
- Fax Discovery Authorization Forms for CDs

(b)(6); (b)(7)(C)

- Court appointed Discovery Coordinator

- Formats hard drives and provides to Education Dep't

## Criminal E-Discovery



# ELECTRONIC LAW LIBRARY

## Criminal E-Discovery

(b)(4)



## **AND MORE! TRULINCS**

Trust Fund Limited  
Inmate Communication  
System

Portal Screen

# **Criminal E-Discovery**



- Inmate Computers - the numbers

	Units (4)	SHU (4)	Education Dep't (9)
E-Discovery Computers	1	3	6
Electronic Law Library	1	1	3
TRULINCs	3	1	0

**Criminal E-Discovery**

- More Computers
  - Visiting Room (11)
    - Adobe Read 9, Excel Viewer, Hawk Player, PowerPoint Viewer, Notepad, VLC Player, Windows Media Player, Wordpad, and Word Viewer
  - Requests for Laptops
    - Not contemplated by policy
  - Requests for Access to Internet
    - No.

## Criminal E-Discovery

# **TRULINCS**



## ***Electronic Messaging is . . .***

- Email which requires pre-approval by the public
- Plain text messages only
  - No attachments
  - No special characters
  - No embedded graphics or photos
- A mechanism for family/friends to initiate contact saving staff time
- Easier and faster than US Postal Mail
- A secure method of managing inmate communication
- Access to the most popular form of written communication
- An alternate means of written communication



# ***TRULINCS***



## ***Electronic Messaging is not . . .***

- Internet access
- Instant messaging
- Intended for special or legal correspondence
- A replacement for US Postal Mail

## Inmate Agreement for Participation in TRULINCS

## Electronic Messaging Program

CDPRM

FEDERAL BUREAU OF PRISONS

Inmate Name:	Reg. No.:	Institution:
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1. **TRULINCS Program** - I am notified of and acknowledge that the Bureau of Prisons (Bureau) at the above-named institution is offering an opportunity for inmates to participate in the Trust Fund Limited Inmate Communication System (TRULINCS) program, whereby inmate-participants may send and receive electronic messages (e-mail) with members of the community.
2. **Conditions of Participation** - As a TRULINCS program participant, I am notified of, acknowledge, and voluntarily agree to the following conditions:
  - a. **Compliance with Program Procedures** - I must abide by all terms prescribed in the TRULINCS Program Procedures (procedures), which I acknowledge having been notified of, received, read, and understood prior to signing this agreement.
  - b. **Voluntary Participation** - My participation in the TRULINCS Electronic Messaging program is voluntary and I may decline participation, or withdraw at anytime, without penalty or cost, except as provided in the procedures related to fees which may have already been collected from me. In the absence of TRULINCS program participation, I may still maintain contact with persons in the community through written correspondence, telephone, and visiting, as provided in those relevant Bureau policies.
  - c. **User Fee** - My TRULINCS program participation is conditioned on my payment of a fee for usage as prescribed in the procedures, and I authorize such fee(s) to be withdrawn directly from my inmate deposit fund account.
  - d. **Consent to Monitoring** - I am notified of, acknowledge, and voluntarily consent to having my messages and transactional data (incoming and outgoing) monitored, read, retained by Bureau staff, and otherwise handled as described in the Inmate Electronic Message Record System, Justice/BOP-013 (70 FR 69594-01, November 16, 2005). I am notified of, acknowledge, and voluntarily consent that this provision applies to messages both to and from my attorney or other legal representative, and that such messages will not be treated as privileged communications.
  - e. **Warden's Authority** - The Warden may discontinue my participation in the TRULINCS program, or reject incoming/outgoing messages, whenever it is determined that my participation violates the procedures or otherwise jeopardizes the safety, security, or good order of the institution, or protection of the public. Additionally, my participation may be limited or discontinued at anytime due to program unavailability resulting from system maintenance, modification, SHU assignment or other reasons unrelated to my participation conduct.
  - f. **Inmate Discipline / Criminal Prosecution** - My use of the TRULINCS program in violation of the procedures may result in inmate disciplinary action and/or criminal prosecution.
  - g. **Administrative Remedy Program** - Any grievance I may have related to the TRULINCS program may be raised through the Bureau's Administrative Remedy Program.
3. **ACKNOWLEDGMENT** - As indicated by my signature below, I am notified of, acknowledge, and voluntarily agree to all the above provisions.

---

 Inmate Name (printed/signed)

---

 Date

# Inmate TRULINCS Agreement:

## Voluntary Participation

## Fees

## Consent to Monitoring

## Warden's Authority

## Disciplinary Action

## BOP Administrative Remedy Procedure (Exhaustion)

Screen closes in: 02 Minutes 58 Seconds

### TRULINCS and ELECTRONIC MESSAGING: WARNING/RESPONSIBILITY/ACKNOWLEDGMENT

Warning: This computer system is the property of the United States Department of Justice. The Department may monitor any activity on the system and search and retrieve any information stored within the system. By accessing and using this computer, I am consenting to such monitoring and information retrieval for law enforcement and other purposes. I have no expectation of privacy as to any communication on or information stored within the system.

Responsibility: I must abide by all terms prescribed in Bureau of Prisons' policy regarding my use of TRULINCS and electronic messaging systems, which I acknowledge having read and understood. I understand and consent to having my electronic messages and system activity monitored, read, and retained by authorized personnel. I understand and consent that this provision applies to electronic messages both to and from my attorney or other legal representative, and that such electronic messages will not be treated as privileged communications, and that I have alternative methods of conducting privileged legal communication. I will not share passwords and will log off the system when leaving the TRULINCS terminal. I am only authorized to use the TRULINCS and electronic messaging systems to communicate with those persons on my authorized contact list; check account balances; complete forms; access the electronic law library, and other TRULINCS functions.

My use of TRULINCS in violation of the procedures may result in inmate disciplinary action and/or criminal prosecution. Any grievance I may have related to the TRULINCS program may be raised through the Bureau's Administrative Remedy Program.

Acknowledgment: By accessing the program, I understand and agree to all the above provisions and consent to have the Bureau withdraw all required program fees directly from my deposit fund account.

My participation in the electronic messaging program is voluntary and I may decline participation, or withdraw at anytime, without penalty or cost, except as provided in the procedures related to fees which may have already been collected from me. In the absence of electronic messaging program participation, I may still maintain contact with persons in the community through written correspondence, telephone, and visiting, as provided in those relevant Bureau policies.

The Warden may discontinue my participation in the electronic messaging program, or reject incoming/outgoing messages, whenever it is determined that my participation violates the procedures or otherwise jeopardizes the safety, security, or good order of the institution, or protection of the public. Additionally, my participation may be limited or discontinued at anytime due to program unavailability resulting from system maintenance, modification, segregated housing assignment or other reason unrelated to my participation conduct.

## TRULINCS Warning Acknowledgment

Consent to Monitoring

No Exception for Legal  
Correspondence to  
Attorney

No Sharing of  
Passwords

Voluntary with Fees

Warden's Authority



**System Generated Message**  
**Acceptance required by public before emails begin**

**From:** <info@corlinks.com>  
**To:**  
**Date:** 8/27/2009 10:37 AM  
**Subject:** Inmate

This is a system generated message informing you that the above-named person is a federal prisoner who seeks to add you to his/her contact list for exchanging electronic messages. There is no message from the prisoner at this time.

You can ACCEPT this prisoner's request or BLOCK this individual or all federal prisoners from contacting you via electronic messaging at [www.corlinks.com](http://www.corlinks.com). To register with CorLinks you must enter the email address that received this notice along with the following identification code: S62T72RX.

This identification code will expire in 10 days.

By approving electronic correspondence with federal prisoners you consent to have the Bureau of Prison staff monitor the content of all electronic messages exchanged.

Once you have registered with Corlinks and approved the prisoner for correspondence the prisoner will be notified electronically.

For additional information related to this program, please visit the [http://www.bop.gov/inmate\\_programs/trulincs\\_faq.jsp](http://www.bop.gov/inmate_programs/trulincs_faq.jsp) FAQ page.

\*\*\*\*\*

Este es un mensaje generado por el sistema que le informa que la persona mencionada es un preso federal que pretende añadirlo a usted a su lista de contactos para intercambiar mensajes electrónicos. No hay ningún mensaje del preso en este momento.

Usted puede ACEPTAR esta petición del preso o BLOQUEAR a esta persona o a todos los presos federales de contactarlo a usted a través de la mensajería electrónica en [www.corlinks.com](http://www.corlinks.com). Para inscribirse en CorLinks debe introducir la dirección de correo electrónico que recibió esta notificación, junto con el siguiente código de identificación: S62T72RX.

Este código de identificación expirará en 10 días.

Al aprobar la correspondencia electrónica con presos federales usted está consintiendo a que personal de la Oficina de Prisiones supervise el contenido informativo de todos los mensajes electrónicos intercambiados y cumplir con todas las reglas y procedimientos del Programa.

Una vez registrado en Corlinks y aprobado para la correspondencia el preso será notificado por vía electrónica.

Para obtener información adicional relacionada con este programa, por favor visite la página de preguntas frecuentes [http://www.bop.gov/inmate\\_programs/trulincs\\_faq.jsp](http://www.bop.gov/inmate_programs/trulincs_faq.jsp).

**Sample Message –  
Acceptance by  
Public**

**Identifies Federal  
Prisoner Seeking to  
Add as a Contact**

**Accept or Block**

**Consent to BOP  
Monitoring**

**English and Spanish**

- What does the BOP have?
- What can you get?
- How do you get them?

**TELEPHONE CALLS**



- What does the BOP record?
  - TRUFONE Calls
    - Outgoing
    - Incoming
    - Staff phones?
  - Transactional data



# TELEPHONE CALLS



(b)(7)(E); (b)(7)(F)

# TELEPHONE CALLS



- What can you get?
  - Transactional data
  - Recorded calls
- How far back?
  - Recordings – 6 months
  - Transactional data – 6+ months
  - Exceptions



## TELEPHONE CALLS

# How do I get . . .

- Transactional data
  - Request For Inmate Telephone Transaction Data form
- Recorded telephone calls
  - Subpoena
  - Include Register No.
  - Retrospective **ONLY**



## TELEPHONE CALLS



# ROLES

- AUSA
- Case Agent
- BOP attorney
- BOP SIS staff



## TELEPHONE CALLS

Can the Defense get records without the  
AUSA's knowledge?

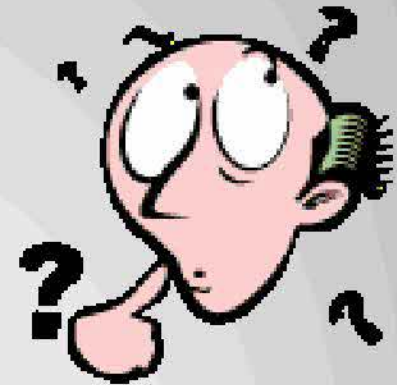
Yes,  
but . . .



**DEFENSE REQUESTS**

How can defense counsel get BOP records and information without telling the AUSA?

- Written authorization
- FOIA
- Court order



**DEFENSE REQUESTS**



# What can they get without telling the AUSA?

- With written authorization
  - Records of the authorizing individual
- Without written authorization
  - Public information
    - Staff: PS 1351.05, Release of Information, Attch. B
    - Inmates: 28 C.F.R. § 540.65(b)



## DEFENSE REQUESTS

## Defense Subpoenas

- Trigger the Touhy regulations
- 28 C.F.R. § 16.21, et seq.
- PLEASE READ: 28 C.F.R. § 16.23(a)
  - **ONLY** the DOJ attorney “in charge of the case” can authorize release; after . . .
  - Consulting the “originating component”
  - Why?

**DEFENSE REQUESTS**



## EXCEPTIONS?

- Ex parte applications?
- Sealed subpoenas?
- Sealed orders telling the BOP not to talk to the assigned AUSA?



## DEFENSE REQUESTS



[www.bop.gov](http://www.bop.gov)



Call a BOP Attorney

**BOP Information**

THE CAT'S OUT OF THE BAG!

C

?



THE END

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