



D.C. Department of Corrections

INMATE

HANDBOOK

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Thomas Faust
Director

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INTRODUCTION

The D.C. Department of Corrections' (DOC) Central Detention Facility, also known as the D.C. Jail, is a multi-custody level facility located at 1901 D Street SE, Washington, DC 20003. The D.C. Jail is the point of entry after arraignment and commitment by the D.C. Superior Court, U.S. District Court or US Marshal detainment. The D.C. Jail houses pretrial detainees, sentenced misdemeanants, parole violators, persons committed on writs, and convicted and sentenced felons pending transfer to other facilities/jurisdictions.

It is DOC policy to provide a safe, secure and orderly environment for employees, inmates and the surrounding community. This handbook explains facility rules, regulations and procedures you must follow while in custody. Security and safety protocols are in place for everyone's protection and will not be compromised.

DOC will post policy or rule changes that might affect you on housing unit bulletin boards, make them available in the law library, and/or otherwise communicate them to you via housing unit staff.

If you have questions concerning any matter, ask staff assigned to your housing unit, contact your case manager or send an inmate request slip to the department responsible for your particular concern. In later sections of the handbook, you will be advised about the grievance process and other ways to report/resolve issues impacting you while at the jail.

INMATE RIGHTS

It is DOC policy to ensure that you are treated fairly and your legal rights are respected. You have the following rights:

- (1) To access legal assistance (courts, attorneys/legal representatives, legal materials, diplomatic representation, grievance procedures);
- (2) To be protected from personal abuse, corporal punishment, personal injury, or property damage;
- (3) To be protected from any form of sexual abuse, sexual assault, and sexual harassment by any person who works for, visits or is confined to DOC facilities and/or contracted facilities;
- (4) To be protected from other inmates having power over you;
- (5) Freedom in personal grooming as outlined in DOC policy;
- (6) Access to adequate health care;
- (7) Access to adequate food/nutrition;
- (8) Freedom from discrimination based on race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intra-family offense, and place of residence or business and any other prohibited discrimination provided in DC law when determining housing and program participation;
- (9) Access to uniform procedures at disciplinary and housing hearings;
- (10) Access to programs, services and activities (except when participation presents a threat to the safety, security, or orderly operation of the facility). If you cannot participate in a program based on administrative reasons, DOC will attempt to make reasonable accommodations. You cannot participate in programs while in disciplinary segregation, and

(11) Access to appropriate auxiliary aids and services for inmates and visitors who are deaf or hard of hearing. DOC provides auxiliary aids and services free of charge, such as sign language interpreters, video remote interpretation services, teletypewriters, note takers, and closed captioning. Additional requests may be submitted, but are not guaranteed.

Reasonable Accommodation (for inmates with disabilities)

To request an accommodation, you must complete an inmate request form informing the case manager of your disability. The case manager shall determine if the request is valid and meets the “Reasonable Accommodation” standard. The case manager shall submit a recommendation along with the completed inmate request form to the ADA Coordinator for consideration.

The request for accommodation shall specifically state your alleged disability or disabilities, the major life activity that your condition places a substantial limitation upon, the specific accommodation(s) requested, and the reason you need the accommodation(s). An additional page may be attached to the request if necessary.

You may request additional accommodations at any time if you feel a new disability has arisen, the current disability has worsened, for access to a program, benefit or service, or any other legitimate reason.

ADMISSION AND ORIENTATION

At the point of entry into the facility, you will be asked to share basic personal information. You must also submit to a strip search, shower, and change into jail issued clothing. You will be fingerprinted and photographed and a wristband (identification) will be issued (placed on your arm). You must surrender all unauthorized personal belongings (See “Personal Property” section). You will sign a property receipt for items taken and items you’re allowed to keep. DOC will store your identification (ex: driver’s license) until your release. If you consent, the jail will allow family members to pick up your personal property within fifteen (15) business days. Personal property (except jewelry) is destroyed after fifteen (15) business days.

Medical Screening

You will receive a medical, dental and mental health screening while in the jail. Based on the results, health care providers on-site will discuss any required treatment with you. They will also advise you on important health precautions and how to access health care services during your confinement.

Medical Hold

To protect you and others from communicable diseases, you may be held in restricted housing if you do not submit to a medical screening.

Communications Assistance

If you have limited/no English proficiency, DOC will provide communication assistance through translators and/or an interpreter service. DOC will also provide interpreter services and other auxiliary aids and services to assist if you have a hearing impairment.

Intake

Upon arrival at the Inmate Reception Center (IRC), case management staff will provide an orientation to the facility. You will be interviewed, receive information, handouts and other documents that will help familiarize you with the jail. This process will include viewing videos on the Prison Rape Elimination Act (PREA), orientation and reentry. From the IRC you will be transferred to the intake unit or other appropriate housing where you will receive a custody score, a risk screening and a PREA assessment. Your custody score along with other factors will help determine where you will be housed. You will also receive information about the facility to include programs, services and activities, rules, housing, and disciplinary procedures. Sentenced misdemeanants with forty-five (45) days left to serve may undergo an assessment to help identify both your pre and post release planning needs.

PERSONAL PROPERTY

You may keep the following items when you enter the facility:

One plain wedding band (no stones, gems);
Prescribed medical devices (prescription glasses, dentures, medical alert bracelets/necklaces, hearing aids, artificial limbs, braces, etc.);
One religious medallion or rosary valued at \$50 or less - it must not be a size or shape that can be used as a potential weapon or escape device;
Approved religious headgear (only one permitted), and
Legal documents about your current case.

CDF Issued Items: You must sign for and maintain proper care of all items issued to you. You will be issued a bedroll containing one blanket, one towel, two sheets and a hygiene kit, as well as:

Males: Two pairs of under shorts, two pairs of socks, two undershirts, two jumpsuits (clean, properly fitted and in good condition), and one (1) pair of thermal underwear (issued October 15-March 30 upon your written request). You may request replacement underclothing using the inmate request slip every sixty (60) days. Hygiene kits are available to inmates who have no money to purchase them.

Females: Female offenders are housed at the Correctional Treatment Facility (CTF). Female inmates will be issued one (1) jumpsuit (clean, properly fitted and in good condition). CTF will provide clothing for female inmates. You will be able to exchange your soiled clothing and linen including towels for clean items at least once a week. You may request replacement underclothing using the inmate request slip every sixty (60) days. Hygiene kits are available to inmates who have no money to purchase them. You may purchase underclothing and hygiene items from canteen. You are limited to the number of clothing articles as listed below.

Personal Clothing Limits

Males: 1 pair tennis shoes, 1 pair shower shoes, 1 religious headgear, 7 pairs each of socks, under-shorts and t-shirts.

Females: 1 pair tennis shoes, 1 pair shower shoes, 1 religious headgear, 7 pairs each socks, bras and panties.

Other Approved Items:

Toiletries (one (1) each), pens/pencils, writing paper, stamps, legal papers, ten (10) photos (containing images not prohibited by DOC policy), and prayer rugs. You must be able to store all items, including legal material, in your storage container. You may store books and toiletries on your desk. You can only store your shoes and prayer rug under the bed. You cannot sell or trade your personal property. You are subject to disciplinary action if another inmate's property is found in your possession. DOC shall seize unauthorized/excess property and either release it to someone you designate or destroy it.

Claims for Lost/Stolen Property

You may file an Inmate Request Slip (IRS) regarding property that is lost, stolen or damaged through no negligence of your own. You will not be compensated for property loss when the items are not listed on the property receipt.

Release of Property to Law Enforcement Officials

While in custody, your personal effects and clothing may be turned over to law enforcement officials with or without a warrant or subpoena.

HOUSING UNIT RULES

CDF has single and double cell housing. All inmates are expected to respect others when sharing common equipment such as telephones, televisions, chairs, tables, recreational games and equipment, and all inmates must respect the property of others. Television is for everyone's use. Only staff shall control programs that are viewed. Inmates shall not be verbally or physically abusive to staff or each other. No shouting, running, horse playing or other loud or disorderly behavior. You shall not bang on windows, cell doors or tables. You shall not loiter or stand around the cell of any inmate who is on lockdown. You cannot loiter on the tiers or stairs between the upper and lower tiers. You shall not crowd around the control bubble or exit doors. You must stay at least 5 ft away from exit doors. You shall not loiter around program offices unless authorized when awaiting services. You shall not deface, tamper with or destroy DOC issued property. You shall help keep common areas clean. You shall place trash in provided trashcans. You shall not stand or sit on trashcans. You are responsible for damage to DOC property. The Officer in Charge (OIC) or other correctional staff will inspect your cell before you are placed in it. You must report any broken items to the OIC within twenty-four (24) hours. Only a supervisor or the Compliance Officer can change your cell or bed assignment. You must ensure that staff secures your cell when you exit. You must keep your cell area clean and your property neatly stored in your storage container. You will be issued cleaning supplies for this purpose. You shall not sleep in the nude or on the floor. You shall make your bed by 8am, and it must remain made until 10pm. You shall not hang clothes or covers on cell doors or the tier, and you shall not cover the windows. You shall not cover vents, light fixtures, or cell doors.

You shall not clog toilets and sinks.

You shall be fully clothed when exiting your cell to include going to and returning from the shower area.

You shall not attempt to hang photographs or other items on cell walls.

You may not bring your pillow, blanket, and wash cloth/towel into the dayrooms, dining area or gym.

You shall eat in the designated area unless you are on restricted status.

You cannot store uneaten food in your cell.

You must tightly cover and store canteen food items so they will not attract pests.

PERSONAL HYGIENE/LAUNDRY AND GROOMING SERVICES

You must maintain an acceptable level of personal hygiene. Showers, laundry, linen and clothing exchange, and barber services are regularly made available. You are subject to disciplinary action for failure to keep yourself and your cell clean and sanitary.

SMOKE FREE FACILITY: No one can smoke in the CDF. Tobacco products, matches and cigarette lighters are contraband.

INSPECTIONS

Searches

DOC shall search inmates, inmate housing units, individual cells, and program and work areas.

Most searches (shakedowns) are randomly conducted.

Narcotics detection dogs are used during searches.

You do not have the right to be present during the search. If you are present during the inspection, you must cooperate with staff.

Staff will confiscate contraband and excess property during searches.

You are subject to regular and random pat searches.

You are subject to a strip search when (1) there is reason to believe that you are concealing contraband on your person, (2) before placing you in a special housing unit, (3) before and after contact visits, escorted trips, or when returning from a community status, and (4) when you are first admitted.

Only medical staff is authorized to conduct inspections of body cavities. If necessary, you may be placed in a dry cell for detection and release of concealed contraband.

Counts

Inmates must return to their housing unit and individual cell for counts. You will not be released from your cell, housing unit or the facility until the count has cleared.

Televisions and radios shall be turned off. You must remain in plain view, in full uniform, and you must be prepared to display your armband to staff. You must be silent and shall not attempt to talk to or distract staff conducting the count.

Lockdown

You shall be locked in your cell at night, during counts and at other times as authorized.

When lockdown is announced, you must immediately return to your cell and doors will be secured. Emergency lockdowns may be ordered at any time.

Sanitation

Each morning or afternoon, the Housing Unit supervisor will conduct an inspection to make sure everything is clean and orderly. Your bed must be made and you must be in full uniform and standing by your bunk. Cell inspections shall include checking plumbing lights, vents and your general living area. The Zone Lieutenant may also regularly inspect housing units.

Emergency Drill Inspections

You may be required to participate in mock lockdown and evacuation drills. You must move quickly and quietly and obey officers and Fire Safety staff's orders.

Warden's Inspection

The Warden, Deputy Warden, correctional supervisors and other managers will regularly inspect the facility and conduct other mass inspections.

STAFF CONTACT

Your case manager and housing unit staff are your primary contacts to address issues. You may obtain a request slip from the housing unit officer to request assistance from the Chaplain, Chief Case Manager, Law Librarian, Records Office Personnel, Deputy Wardens or the Warden.

MOVEMENT

Inmates move through the facility to authorized areas with passes or correctional escort. You must move quickly and quietly and go directly to your approved destination. You must obey instructions from staff along the way. You are subject to searches before, during and after movement.

ESCORTED TRIPS

DOC provides armed transports for court appearances, outside medical care and institutional transfers. You may be considered for an escorted local trip to the private viewing of a deceased immediate family member or to visit a dying immediate family member in accordance with DOC policy. Immediate family includes a spouse, son, and daughter; parent, brother, sister, or a person who can reasonably be considered as an immediate relative, e.g. step-parents, stepchildren, or legal guardians.

EMERGENCY PROCEDURES

You must immediately report any signs of fire or smoke to staff. In emergencies, staff may direct you to move to another area in the unit, take cover in your cell or evacuate the unit/facility. Evacuation routes are posted in your housing unit and throughout the facility. Should a riot or disturbance occur, inmates who are not involved will be given a chance to leave the problem area. You must follow staff instructions during emergencies.

USE OF FORCE

Correctional Officers will use force and apply restraints when necessary to protect a person from injury, to prevent property damage, prevent escapes or to enforce rules and regulations. Force will be applied as necessary to maintain control of the situation.

SEPARATIONS

You may be separated from another inmate(s) when required for safety and security reasons. The courts may also order your separation from other members of the inmate population. You may request protective custody (PC) or DOC may place you in involuntary PC when there is evidence of safety or security issues. You will receive regular reviews to determine if it is appropriate to discontinue separation.

MEALS

DOC serves three (3) nutritionally balanced meals daily. Juveniles (housed at the CTF) are served one (1) snack per day by the food service vendor in addition to the three (3) meals. Pork and pork by-products are not used. A physician may place you on a medical diet. You may request a religious diet through the Chaplain. General population inmates may, as appropriate, eat in the dayroom. Segregated inmates eat in their cells. You will receive a bag lunch when you are going to court or are out of the facility for medical care.

MEDICAL SERVICES

DOC does not charge inmates a co-pay fee for medical treatment. During your medical screening and facility orientation, you will learn how to access health care services and be advised on basic health precautions to follow.

Medical Records Your medical records are confidential and information is only shared with appropriate staff on a need-to-know basis.

Types of Medical Care Comprehensive health screening and assessment, medical treatment for chronic and/or emergency conditions, required medication, emergency care and hospitalization, detoxification, eye glasses, dental services, pharmacy services, on-site dialysis, specialty clinics and ob-gyn care (females).

Refusing Medical Care If you refuse medical, dental and mental health services, a written statement must be submitted. If you refuse care, medical staff will explain the importance of the treatment or other services they recommend. Your refusal may also impact your housing while in the facility.

Sick Call Any inmate who requests to be seen by clinical staff for nonemergency medical care shall be triaged for sick call within one (1) business day from the time the request is received. Sick call will be five (5) days per week in the general population units and daily in the segregated housing units where inmates are locked down (including weekends and holidays).

Interpreters (staff or via telephone) will be made available to help communicate with medical staff when you have limited/no English proficiency.

Condoms may be obtained during medical intake, at sick call, during medical visits, when participating in your discharge planning interview and at release. DOC strictly prohibits sexual activity between inmates, inmates and staff, and inmates and any other person working in, volunteering, or visiting the facility. However, as an added health precaution, condoms will be provided when requested.

DRUG TESTING

You are subject to random testing and targeted testing when there is reason to believe you have used or are under the influence of illegal drugs. Drug dogs are used inside/outside the facility to detect narcotics.

INMATE FINANCE ACCOUNTS

Receiving Money in Your Account

Inmate Finance shall deposit the money you had at admission, money earned from work details, western union transfers and money orders, and certified bank and cashier's checks mailed by family and friends. Check/money orders must be payable to you and include your full name and DCDC#. Inmate Finance will issue a receipt for your records. Posting to your account for spending takes ten (10) business days. Family/friends may transfer funds to your inmate account through Western Union who may collect a fee for each transfer.

DOC shall post notice of the following options for electronic transfers:

- 1) Internet. Using a credit or debit card www.westernunion.com/corrections
- 2) Phone. Using a credit or debit card at 1-800-634-3422.
- 3) Use of the Offender Connector Kiosk at the Video Visitation Center (only during scheduled visitation appointments).

Releasing Money from Your Account

You may authorize DOC to release funds from your account to an attorney, bail bondsman, family member or friend. DOC will issue cash from the Inmate Finance Office Visitor's Entrance 1901 D St SE, Tues-Fri 9am-12pm. The person must have positive photo identification.

Mailing your funds to someone takes fifteen (15) business days.

Inmate Finance will deduct the Video Visitation Center (VVC) fee from your Non-Industrial Pay System (NIPS) funds when restitution is court ordered.

If you are transferred to another institution, Inmate Finance will send your funds by check or money order within thirty (30) days. If your location is unknown, attempts will be made to determine your whereabouts. If you are transferred to a private jail or facility, you should contact DOC in writing or have a case manager contact the DOC Finance Office to have funds transferred.

When released from custody you may claim your funds in person at the Inmate Finance Office Visitor's Entrance, Tues-Fri 9am-12pm.

CANTEEN

You may spend \$75 a week. There is a limit on the number/amount of some products you can purchase. Inmate Finance will determine if you have enough money in your account to cover your canteen order. If not, you may receive a partial order. Your purchase will be directly delivered to you. Inmates on Disciplinary Segregation may spend up to \$25 on hygiene products, stamps and writing materials.

LEGAL ACCESS

Legal Visits

Your attorney of record, your attorney's agents/investigators and participating legal interns have access twenty-four (24) hours per day seven (7) days a week. You can

refuse a legal visit and the refusal will be documented. You must sign consent to allow the legal visitor to take photographs, video or audio recordings.

You may be escorted or sent by pass to the visiting hall. You are subject to pat search when leaving the housing unit and before the visit. You will be strip searched after the visit. The visitor cannot give you any items (with the exception of printed legal documents) to keep after the visit. You will remain in restraints during the visit if under special status.

Legal Calls

Case Managers and other persons designated by the Warden are authorized to place legal calls for inmates. The authorized staff member placing the call must verify that the recipient is an attorney/law firm/agent before putting the inmate on the telephone. Legal calls shall not be monitored but will be documented by any employee or person providing services for DOC.

Legal Mail

Incoming legal mail shall be opened in your presence only to inspect for possible contraband. In the absence of adequate identification, staff may open and read the mail to the limited extent necessary to determine its legitimacy and ascertain whether it is, in fact, legal mail.

Outgoing You can seal mail that is addressed to the courts, attorneys and public officials. It will not be read, censored or copied.

LAW LIBRARY

General population inmates may visit the law library. See your housing officer for the schedule. Both inmates in segregation and general population may send a request slip for legal materials.

INMATE GRIEVANCE PROCEDURES (IGP)

You are to attempt to advise a staff member of a complaint as soon as possible after an issue arises.

You will be able to request informal resolution within five (5) days after a request for services by a staff person has not been satisfied.

You may request the inmate informal resolution/grievance form from any staff member who is assigned to your housing unit, and the staff member will give you the form during his or her shift or tour of duty.

You will give the informal resolution form to the unit Case Manager, or Program Manager and the Case Manager will research necessary information to determine if a remedy is possible.

The Case Manager will develop a response to present to you in an attempt to resolve the issue informally.

Your Case Manager will sign the informal/grievance form and will respond to the inmate complaint within five (5) business days by submitting the signed official response on the original form to you.

If the issue could not be resolved by the Case Manager, you may submit the original complaint to the IGP Coordinator by placing the form in the housing unit locked grievance box. This action will initiate a formal grievance.

The grievances will be collected from each CDF housing unit's locked grievance box Monday through Friday.

You will be forwarded a receipt by the IGP coordinator via institutional mail. Unless an extension is granted due to extenuating circumstances, you will receive a response within fifteen (15) business days of receipt by the IGP Coordinator.

FORMAL GRIEVANCE PROCESS

a. You may file a formal grievance when:

- 1) You are not satisfied with the results of the informal resolution process, in which case you must file the formal grievance within five (5) business days of receipt of the informal resolution response, or
- 2) You have not received a response within fifteen (15) business days of filing the complaint.

b. Each grievance must pertain to one specific incident, charge or complaint. You shall not submit duplicate copies of the same grievance.

To file a formal grievance, place the original Inmate Informal Resolution\Grievance form in the locked grievance box marked "GRIEVANCES" located in your housing unit. If you are housed in a segregation unit, you must deposit the grievance form in the locked box marked "GRIEVANCES" during your individual recreation time or may submit the grievance to your assigned Case Manager or a Supervisor, after having first placed the grievance form in a sealed envelope.

The Case Manager or Supervisor will then place the grievance form in the locked box marked "GRIEVANCES."

Unless an extension is granted due to extenuating circumstances, you will receive a response within fifteen (15) calendar days of submission.

PROCEDURES FOR WARDEN'S REQUEST FOR ADMINISTRATIVE REMEDY

a. Within five (5) business days of receiving the Formal Grievance response from the IGP Coordinator, you may elect to appeal the decision by submitting the original inmate informal resolution/grievance form to the Warden.

b. You must submit the original form to the IGP Coordinator-- to request the Warden's administrative remedy.

c. If the original form cannot be obtained, you may submit your grievance on standard, letter-sized paper. This grievance should contain the following information:

- 1) Your name and DCDC number;
- 2) The name of the housing unit/number and cell number and/or community correctional center where you are housed;
- 3) The nature of the complaint or grievance, date of occurrence, and the remedy sought;
- 4) Your signature; and
- 5) The date.

d. The Warden will review the Formal Grievance form and issue a response within fifteen (15) business days of receipt of the form.

PROCEDURES FOR FILING AN EMERGENCY GRIEVANCE

a. Emergency grievances shall be defined as matters in which you would be subjected to substantial risk of personal injury or serious and irreparable harm if you filed the grievance in the routine manner with the normally allowed response time.

b. You must prominently label and identify the grievance as an "Emergency Grievance" at the top of the Inmate Informal Resolution Grievance Form and state the nature of the emergency.

- c. You will file the emergency grievance in a sealed envelope and mark the envelope as an Emergency Grievance. You shall address the emergency grievance to the lowest administrative level at which an appropriate remedy can be achieved.
- d. If it is necessary for you to file an emergency grievance on the weekend or a holiday, the sealed envelope shall be given to the Shift Supervisor who will ensure that the Duty Administrative Officer is notified upon receipt of the emergency grievance.
- e. If your grievance is of a sensitive nature and you have reason to believe that you would be adversely affected if it was to become known at the institutional level, you may file the grievance directly with the Director. All such emergency grievances may be placed in the locked grievance box or forwarded via regular institutional mail.
- f. You shall be informed if the grievance is not accepted as an emergency grievance and informed that the grievance shall be treated as a regular grievance.
- g. The following special provisions shall apply to emergency grievances:
 - 1) An emergency grievance shall be responded to within seventy-two (72) hours of its receipt.
 - 2) Within forty-eight (48) hours of receiving a response to the emergency grievance, you may appeal to the next level of the IGP appeal process, unless the emergency went directly to the Director.

EMERGENCY GRIEVANCE FOR PREA ALLEGATIONS

- a. Inmates may, but are not required to, file a complaint of sexual assault, sexual abuse, or sexual misconduct directly with the Director as an emergency grievance.
- b. The Director will immediately forward the complaint to the PREA Coordinator, who will initiate the investigation with the Office of Investigative Services.
- c. OIS will issue a final agency decision on the merits of the grievance within ninety (90) days of the initial filing of the grievance. OIS may request an extension of time to respond, of up to seventy (70) days if ninety (90) days is insufficient to make an appropriate decision.
- d. OIS shall notify the inmate in writing of any such extension and provide a date by which a decision will be made.
- e. After receiving an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse, DOC shall provide an initial response within forty-eight (48) hours and shall issue a final decision within five (5) days.
- f. The initial response and final agency decision shall document DOC's determination whether the inmate is at substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

FILING AN APPEAL

- 1) If you are not satisfied with the CDF Warden's response to a grievance, you may file an appeal to the Deputy Director.
- 2) This appeal must be filed within five (5) days of receipt of the grievance response from the Warden, using IGP Form 1 Appeal Level 1 – Deputy Director. The appeal must be accompanied by a copy of the original Inmate Informal Resolution form with supporting documentation. If an IGP Form 1 *Appeal Level 1 – Deputy Director* cannot be obtained; you may submit the grievance on standard letter-size paper.
- 3) The Deputy Director will respond to an appeal within twenty-one (21) days following its receipt.

GRIEVABLE ISSUES

Inmates may request informal resolution and/or grieve the following matters through the IGP process:

- 1) Matters relating to the conditions of safety, care and supervision;
- 2) Matters relating to inmate programs, activities and services;
- 3) Matters relating to inmate property;
- 4) Matters relating to individual staff treatment and inmate actions;
- 5) Matters relating to sentence computations, good time and jail credits, detainers, and late release;
- 6) Denial of access to the informal resolution or IGP processes;
- 7) Reprisals against inmates for utilizing the IGP process;
- 8) Matters pertaining to inmate treatment and legal rights established by federal and local law and regulations;
- 9) The application of DOC Rules, except those listed in 1) of “Non-Grievable Issues” below which have established appeal procedures, and
- 10) All Prison Rape Elimination Act (PREA) complaints regarding sexual abuse and sexual violence, which should be made immediately to any DOC staff person.

NON-GRIEVABLE ISSUES

The following issues cannot be grieved under the IGP process:

- 1) Institutional or Court Ordered Work Release decisions, decisions of the Adjustment or Housing Boards, Classification Committee decisions and requests under the Freedom of Information Act and HIPAA (can be appealed through the Warden in accordance with DOC policy);
- 2) Inmate class action grievances or petitions;
- 3) Final decisions on grievances;
- 4) Inmate Accident Claims, Tort Claims;
- 5) Complaints filed on behalf of other inmates;
- 6) Federal and local court decisions, laws and regulations;
- 7) Policies, procedures, decisions or matters to include but not be limited to transfers, sentence computations, and parole/probation/release treatment decisions issued by the Bureau of Prisons, Immigration and Customs Enforcement (ICE) or other agencies, states and jurisdictions, and
- 8) Disciplinary Board rulings (these can be appealed to the Warden in accordance with DOC policy).

With the exception of emergency grievances, you are required to utilize the informal resolution process concerning disputes, or complaints that were not reasonably addressed after submission of a request slip or verbal requests.

MEDIA ACCESS

DOC may allow the media to interview you by phone for thirty (30) minutes with your written consent. DOC does not permit interviews for entertainment magazines or entertainment television.

TELEPHONE CALLS

Case managers will assist with emergency and program related calls.

Social Calls Blue telephones are located in each housing unit for inmate social calls. Use your Telephone Identification Number (TID) to make the collect call. Three-way

calling is not permitted. You can only make one call at a time. Calls can last up to fifteen (15) minutes. If your call requires the use of TTY equipment or other services, it can last longer. No matter how short your call is, you must move to the end of the line before you can make another call. You shall not shout or curse when talking on the phone. DOC will direct and monitor inmate telephone usage. DOC records/monitors phone conversations for security reasons.

OFFICIAL VISITING/VIDEO VISITATION

You have an option to refuse a visit. If you refuse a visit it will be documented. The Warden may temporarily suspend or modify the visiting schedule.

Social Visits Social visits at the Central Detention Facility are conducted via video visitation. Visitation monitors are located on each of the jail's housing units. Your family members and friends may visit by coming to the Video Visitation Center located adjacent to the jail at the old D.C. General Hospital. They may also visit through one of the community based satellite visitation centers located throughout the city. When calling to schedule, they will be advised of satellite locations. Visits must be scheduled no less than 24 hours in advance and require prior appointment. Your family and friends may schedule visits by calling toll free at 1-(888) 906-6394 or (202) 442-6165 Tuesday through Saturday from 9 am to 5pm. They may also use the DOC website <http://visitation.doc.dc.gov> in order to schedule visits.

There will be limited slots available for eligible inmates to have in-person visits on selected dates. Scheduling and eligibility information should be obtained from your case manager. Females housed at the Correctional Treatment Facility will continue to have in-person visits.

If you are in need of reasonable accommodations for visits with or between disabled inmates or visitors, including individuals with vision or hearing impairments, contact your assigned Case Manager who will coordinate the visit. Please allow 5 business days for the accommodation to be arranged.

Official Visits. Inmates will continue to have in-person visits with attorneys and their agents (i.e., investigators, law clerks, law students, and interpreters).

Special Visits Contact your case manager, DOC Chaplain or correctional staff to request a special visit, and be prepared to discuss the circumstances.

Suspension of Visitors Visitors may be suspended as follows:

Minor Contraband – 30 days to 1 year suspension

Major Contraband – 1 year to permanent and criminal prosecution

Disorderly Conduct – 30 days to 1 year

Refusing Search – 30 days to 1 year

Minor Incidents – 30 days to 1 year

Major Incidents – 1 year to permanent termination

You or your visitor may appeal suspensions to the Deputy Director for Operations.

INMATE MAIL

You can mail two (2) regular size letters free of charge each week if you have \$5.00 or less in your account for thirty (30) days prior.

You may purchase writing paper and postage stamps via canteen.

Staff picks up outgoing mail from the unit mailbox and incoming mail is delivered to you Mon-Fri.

Magazines, Books and Newspapers: You may only purchase magazines, soft cover books and newspapers mailed directly from an original source or an authorized distributor. You cannot receive pornographic magazines, unauthorized publications and/or prohibited photos in accordance with DOC policy.

INMATE RECORDS

The Records Office maintains your official record. The Federal Bureau of Prisons (FBOP) computes sentences for felons. Sentenced felons can forward your request for sentence computation to FBOP, Grand Prairie, Texas. Misdemeanants may send a request slip to their Case Manager or Records Office staff with questions about sentence computation. Your official record is confidential and you must sign a consent to release information except when it is a matter of public record.

Public Records Records of a criminal offense for which you have not been convicted shall not be disclosed without a properly executed release authorization. Upon written request, DOC will release information about you, without your consent, if you have been convicted of a crime, such as: your name, DCDC number, full description (e.g., sex, race, height, weight, complexion, hair color, eye color, build, and any identifying marks), criminal charges, sentence, date of sentence(s), mandatory release date, full term date, dates of jail credits, earned good time, detainers, judgment & commitment orders, and date of birth. Your institutional photograph (“mug shot”) shall only be released upon your consent or the Director’s approval.

Records Review You may review your institutional record and obtain copies of documents by submitting a request to the Records Administrator. Records will contact your case manager to further assist in this process. DOC will not show your reports prepared by other agencies (ex: Pretrial Services or MPD). You must mail a request to that agency. For more information ask your case manager or request a copy of PM 1300.1, *Freedom of Information Act (FOIA)*, from the law library.

PROGRAMS

A case manager will interview you during the intake process. Case Managers have offices on each housing unit and will meet with you within seventy-two (72) hours of assignment to a housing unit excluding weekends and holidays. Case Managers shall assist you with your orientation, classification, employment, program participation, and release planning.

Indoor/Outdoor Recreation

Schedules for outdoor recreation are posted on each housing unit. Indoor recreation includes board games, gym, and general television.

Inmate Work Programs/Details

Sentenced inmates are encouraged to work. Pre-trial inmates may apply to work. CDF has a variety of jobs. Pay varies by job type and the length of time in the position. Some jobs require a medical clearance.

Education

Youth: DC law requires youth to attend school until they turn eighteen (18).

DOC enforces this rule. DC Public Schools (DCPS) conducts classes for juveniles at the CTF.

Special Education: If you were in special education or it is determined that you need special education services, DCPS will provide such services until you turn twenty-two (22).

Adult Education: CDF provides Adult Basic Education and GED classes.

If you would like to participate in these services, send a request to the Academic Program Administrator or contact your Case Manager.

Good Time Credit: Sentenced misdemeanants who maintain good conduct and participate in programs to include work programs may be eligible to receive good time credits to reduce time served.

Chaplain and Religious Services

Inmates have the right to attend or practice their faith of choice. Religious service schedules are available in your unit. Submit a request slip to the Chaplain for assistance. Chaplains are available for counseling. Chaplains also recommend approval/denial of inmate marriage requests.

Substance Abuse Programs

The Courts, US Parole Commission (USPC), your attorney or your case manager may refer you, or you may also request participation in a substance abuse program. To self-refer you can request a referral form from your case manager. In-house NA/AA meetings are also available.

Reentry - Residential Substance Abuse Treatment Program (RSAT)

The RSAT program is currently located at the CTF. Inmates requesting transfer to the RSAT program must fit the criteria for transfer to the CTF as well as the criteria for the program. Your length of stay in the program will be based on individual needs. The minimum length of stay is thirty (30) days and the maximum length of stay is one hundred twenty (120) days.

Veteran Services A staff member from the Veterans Administration visits the CDF on a weekly basis to assist veterans. If you are a veteran and in need of services, please submit a request to your case manager.

Reentry You should have viewed the reentry video when being processed into the facility. DOC provides reentry services to help when you are released to the community. The Reentry unit is currently located at the CTF. You may be considered for that program if you have between 30-180 days to serve, your custody status is minimum or medium, and you are a sentenced misdemeanant. Some of the Reentry programs include GED (at both the CDF and CTF), Graphic Arts (CTF), Computer Literacy (CTF), Commercial Cleaning (CTF) and ServSafe food certification.

Reentry for the City Referral Letter You or your case manager may submit a request for community services to ORCA (Office for Returning Citizens Affairs), Department of Employment Services (DOES), or Voices for a Second Chance.

Criminal Justice Coordinating Council (CJCC) Resource Locator is available and can be useful when you are released or your case manager as well as your family can research services in DC. Go to www.cjccresourcelocator.net

Public Defender Service is available at www.pdsdc.org

Maryland Resource Locator is available at www.mdcsi.org

Photo ID

Inmates released from CDF, DC Superior Court (DCSC)/Records Office and the Inmate Reception Center shall be issued a photo identification card upon release from custody by court order, mandatory release from custody, or upon halfway house placement.

The ID card is effective for sixty (60) days from release--DOC will not renew issuance of the ID card (this card can be used for personal identification).

Prior to expiration of the ID card, inmates who are District of Columbia residents may use the ID card to make application for reentry program initiatives and to make application to the DC Department of Motor Vehicles for a non-driver ID.

Release

You will receive release preparation and counseling. Prior to release, you may be referred for community based health care, family and child services, housing, employment and educational assistance. *(This section does not apply to transfers to other facilities/ jurisdictions).*

PREA (Prison Rape Elimination Act 2003)

ZERO TOLERANCE FOR SEXUAL ABUSE, ASSAULT AND MISCONDUCT

The D.C. Department of Corrections is committed to ensuring a safe and humane environment for all offenders. An important part of a safe and humane environment is freedom from sexual abuse, assault and misconduct by other inmates and staff members. For the purpose of this guide, staff includes Department of Corrections' employees, contract employees, and volunteers. This section of the handbook explains your rights and the safeguards that are in place for your protection from sexual abuse, assault and misconduct, as well as retaliation for reporting such conduct.

The D.C. Department of Corrections cannot and will not tolerate any form of sexual abuse, assault or misconduct and/or sexual contact, including that of a consensual nature. Federal and District of Columbia law prohibit such behavior and accordingly, the Department of Corrections maintains a zero tolerance policy with regard to all sexual abuse, assault, and misconduct.

What is sexual abuse?

Sexual abuse includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuses:

- Contact between the penis and the vulva or the penis and anus, including penetration, however slight;
- Contact between the mouth and the penis, vulva, or anus;

- Penetration of the anal or genital opening of another person, however slight, by a finger or object, or instrument;
- Any other intentional touching of your genital areas, inner thigh, breast, or buttocks either directly or through the clothing that is unrelated to official duties and excluding contact incidental to a physical altercation;
- Contact between the mouth and any body part where a staff member, contractor or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- Any attempt, threat, or request by an employee, contractor, or volunteer to engage in such activities;
- Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and
- Voyeurism by a staff member.

What is sexual assault?

Sexual assault is a forcible sexual act, a sexual act performed against the inmate's will, or a sexual act that is achieved through the exploitation of fear or the threat of physical violence or bodily injury.

What is sexual misconduct?

Sexual misconduct includes sexual harassment and the invasion of an inmate's privacy. Sexual Harassment includes:

- Verbal or physical sexual conduct that creates a hostile, offensive or intimidating environment, including, but not limited to, obscene or sexually offensive advances, gestures, and comments; or influencing or making promises involving an inmate's safety, custody, privacy, housing, privileges, work detail or program status in exchange for sexual favors;
- Influencing or offering to favorably influence an inmate's safety, custody, privacy, housing, privileges, work detail, or program status if the inmate submits to sexual advances or sexual contact, and
- Influencing or threatening an inmate's safety, custody, privacy, housing, privileges, work detail, or program status because the inmate has refused to submit to a sexual advance.

Invasion of Privacy includes:

- Observing, attempting to observe, or interfering in an inmate's activities, which are of a personal nature, without a sound penological reason, and
- Failure of an employee of the opposite sex to announce his/her presence, without a sound penological reason, when entering an inmate's housing unit.

Sexual Abuse, Assault and Misconduct Prevention:

While incarcerated, no one has the right to pressure you to engage in sexual acts. You do not have to tolerate sexual abuse, assault or misconduct, or be pressured to engage in unwanted sexual behavior.

To avoid sexual abuse, assault and misconduct:

- Choose associates carefully. Look for people who are involved in positive activities.
- Avoid being alone.
- Do not accept gifts or favors from others. Most gifts come with strings attached.
- Do not accept an offer from another offender to be your protector.
- Avoid borrowing and becoming indebted to anyone.
- Be confident and do not permit emotions to be obvious to others.
- Find a staff person with whom you feel comfortable discussing fears and concerns.

Reporting Sexual Abuse, Assault and Misconduct

Sexual abuse, assault and misconduct by an inmate or a staff member are prohibited. Such behavior must be reported in order for action to be taken. To ensure that all such behavior is reported, the D.C. Department of Corrections has several ways for inmates to report confidentially. Inmates may use the reporting method with which they are most comfortable.

Methods to report:

- 1. Tell any staff at the facility.** It is part of their job to report any allegation, ensure inmate safety, and maintain confidentiality. Staff are required to accept all reports made verbally, in writing, anonymously, and from third-parties (families, friends, lawyers, etc.).
- 2. Use the Inmate Grievance Procedures – Submit an Emergency Grievance**
- 3. Call, write, or email the Office of the Inspector General (OIG):**
Hotline numbers: 800-521-1639 or 202-724-8477
717 14th Street, NW, 5th Floor,
Washington, DC 20005
hotline.oig@dc.gov

Instructions to access the OIG Hotline

The Hotline number is programmed into the inmate phone system and is free to access. All information reported is strictly confidential.

To contact the Office of Inspector General (OIG) please do the following:

1. Enter your TID#
2. Select option #5 for special services
3. Choose option #4 to make the report

What happens when a report of sexual abuse, assault or misconduct is made?

The D.C. Department of Corrections, through its Office of Investigative Services, will review each report of sexual abuse, assault and misconduct and refer each case to the Metropolitan Police Department (MPD) unless the allegation does not involve potentially criminal behavior. OIS will work closely with MPD in these investigations.

OIS may interview the individual who reported the sexual abuse, assault or misconduct to clarify facts concerning the complaint and OIS will determine whether the complaint is referred for internal investigation.

If the complaint is referred for internal investigation, OIS will provide written notification to appropriate individuals advising them of the complaint, investigation procedures, confidentiality requirements, and the prohibition of communication, intimidation and retaliation against the individual alleged to have been the subject of sexual abuse, assault or misconduct.

While the investigation is pending, the involved individuals will be separated.

The OIS may interview the individual who reported the abuse, assault or misconduct, witnesses, and/or the third party informant and take action.

DOC will notify individuals of scheduled interviews in advance and allow those being interviewed to contact their attorneys. Attorneys cannot testify during an interview, but can be consulted before answering questions.

The Investigator may tape-record all testimony and shall draft a statement detailing testimony from each person who is interviewed.

Keep in mind that a thorough investigation takes time. The investigation must clearly support or refute any allegation with evidence, information gathered from witnesses, and documentation.

DOC will provide notification in writing of investigation findings and appeal procedures.

What is retaliation?

Retaliation is:

- Restraint, interference, coercion, acts of covert or overt vengeance, or threats of action to discourage, prevent or punish an inmate, arrestee, or resident for refusal to submit to sexual advances.
- An adverse action taken against any individual because of his/her involvement in the reporting or investigation of a sexual abuse, sexual assault or sexual misconduct complaint.

The Department of Corrections prohibits any individual from interfering with an investigation, including intimidation or retaliation against witnesses. If an inmate believes that he or she is being denied privileges, or is being unfairly transferred or punished in some way because he or she filed a complaint or assisted in the investigation of a complaint, he or she should report this to the agency PREA Coordinator. You may submit a letter, request slip or an IGP addressed to the PREA Coordinator.

Possible Outcomes of an Investigation

Following an investigation into an inmate's allegation that he or she was a victim of sexual abuse, assault or misconduct and/or retaliation in an agency facility, the agency shall inform the inmate of the investigative outcome, which will be one of the following:

- **Substantiated-** The allegation was investigated and determined to have occurred.
- **Unsubstantiated-** The allegation was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.
- **Unfounded-** The allegation was investigated and determined not to have occurred.

The DOC will notify an inmate in writing of investigation findings and appeal processes. However, this obligation shall terminate if the inmate is released from the agency's custody.

Inmate Discipline for Sexual Abuse, Assault and Misconduct

Inmates who engage in the sexual abuse, assault or misconduct shall be referred for criminal prosecution.

Inmates who engage in sexual abuse, assault and misconduct shall be disciplined in accordance with PM 5300.1, *Inmate Disciplinary and Administrative Housing Hearing Procedures*.

Inmates will be disciplined for knowingly and deliberately making false reports or complaints of sexual abuse, assault or misconduct.

Help Is Available

If you are a victim of sexual abuse, assault, or misconduct you will be afforded medical/mental health services and additional support services to include: access to victim advocates, on-going medical/mental health treatment, and referrals for additional victim support services.

PM 5300.1E INMATE DISCIPLINARY CODE OF OFFENSES

1. CLASS I - MAJOR OFFENSES

- a. Any of the following Class I offenses alleged to have been committed in the institution may be referred for prosecution.
- b. Referral for prosecution does not restrict DOC from imposing administrative discipline with corresponding penalties, outlined in this handbook and in DOC policy.

101 Murder/Homicide

102 Manslaughter

103 Any Act of Terrorism – use, dissemination, or detonation of a weapon of mass destruction, manufacture or possession of a weapon of mass destruction

104 Kidnapping

105 Burglary – First degree

106 Armed Robbery

107 Assault with Serious Injury is when the victim sustains serious injury that requires urgent and immediate medical treatment and restricts the victim's usual activity. Medical treatment is more extensive than first aid such as the application of bandages to wounds. Medical treatment might include stitches, setting broken bones, treatment of concussion, etc.

(a) Willfully or forcefully causing serious bodily injury to another inmate, a correctional employee, volunteer, contract worker or visitor;

(b) Willfully or forcefully causing serious bodily injury with a weapon or by any means to any person, or

(c) Physically assaulting, resisting, opposing, impeding or interfering with any person.

108 Assault by Spitting or Throwing Substances such as liquids, blood, waste, chemicals, urine, etc.

109 Sexual Abuse Inmate-Upon-Inmate

- (a) The carnal knowledge, oral sodomy, sexual assault with an object or sexual fondling of a person, forcibly or against that person's will;
- (b) The carnal knowledge, oral sodomy, sexual assault with an object or sexual fondling of a person not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or temporary or permanent mental or physical incapacity; or
- (c) The carnal knowledge, oral sodomy, sexual assault with an object or sexual fondling of a person achieved through the exploitation of the fear or threat of physical violence or bodily injury.
 - Carnal Knowledge -- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight.
 - Oral Sodomy -- Contact between the mouth and the penis, the mouth and the vulva or the mouth and the anus.
 - Sexual Assault with an Object -- The use of any hand, finger, object or other instrument to penetrate, however slightly, the genital or anal opening of the body of another person.
 - Sexual Contact -- The touching (or fondling), with any clothed or unclothed body part or object, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

110 Escape Includes:

- (a) Breach of the perimeter of a secure facility;
- (b) Attempted Escape - The attempted breach of the perimeter of a secure facility; tampering with and/or damaging any perimeter including but not limited to windows, bars and cell doors;
- (c) Instigating and/or assisting the perimeter breach or attempted perimeter breach by another inmate;
- (d) Escape From Outside of a Secure DOC Facility – When in the custody of the DOC and while under the supervision of DOC personnel or its agents, the inmate escapes from supervision while outside of the secure perimeter (including from a work detail, medical or court visit or while being transported), or
- (e) Willfully failing to return to the facility by the time designated on a community release activity pass.

111 Possession of Major Contraband. Major Contraband is any item in an inmate's possession or control (to include within his or her cell, clothing or immediate surroundings) that is illegal by law, not purchased from canteen, not issued by the facility or not authorized by the Warden or designee. Items of Major Contraband include but are not limited to:

- (a) A knife; blackjack; gun; sharp, blunt or pointed objects; other articles used as dangerous weapons; tools; rope; civilian clothing; uniforms; toxic or flammable fluids or substances or syringes.
- (b) An unauthorized locking device, key, lock, pick or other device capable of destroying, altering, interfering with or damaging any security equipment.
- (c) An Illegal drug, marijuana, a controlled substance or a narcotic unless a doctor has authorized its use to include possession, having control of, using, making or being under the influence. Possessing another inmate's prescription medication that contains a narcotic or controlled substance.

- (d) Cellular telephone or other portable communication device and accessories thereto.
- 112 Assault Without Serious Injury** is when the victim sustains a minor injury. Minor injuries include those that may not require medical attention or do not require more than minor care such as application of a bandage.
- 113 Restraint** is willfully constraining another person under circumstances which expose the other person to a risk of bodily injury.
- 114 Arson** is willfully starting a fire or causing an explosion which damages personal or institutional property.
- 115 Tampering With a Witness or Informant is:**
- (a) Attempting to induce, inducing, or otherwise causing a witness or informant to testify or inform falsely or to withhold any testimony or information or other evidence; or
 - (b) Retaliating or attempting to retaliate for anything done by another person in his or her capacity as a witness or informant.
- 116 Bribery** is willfully, directly or indirectly, giving, offering, or promising anything of value to another inmate, employee, volunteer or other authorized visitor with the intent:
- (a) To influence any official act or any act within the official responsibility of any person;
 - (b) To induce any person to do or omit doing any act in violation of his or her duty; or
 - (c) To induce any person to introduce contraband into the facility.
- 117 Inciting to Riot.** A riot is a wild or violent disorder, confusion or disturbance. Inciting to riot is purposefully:
- (a) Urging a group of two or more other inmates to engage in a current or impending disturbance or disruptive event; or
 - (b) Giving direction to a group of two or more inmates to cause, continue, or enlarge a violent or tumultuous disturbance or disruptive event.
- 118 Engaging in a Disruptive Event.** A disruptive event is an incident brought on by the inmate's action that resulted in serious injury to staff or other inmates and/or loss of control of the facility or a portion of the facility and required extraordinary measures to regain control. Loss of control of the facility is defined as a situation in which inmates are acting in concert to disrupt facility operations and to refuse compliance with lock down orders. They may take hostages or appear to be prepared for physical conflict. Hostile intent is apparent and threats are noted. Extraordinary measures are required to regain control such as sending in a significant number of ERT members, firing shots, using tear gas, etc.

2. PENALTIES FOR CLASS I MAJOR OFFENSES. The accused, if found guilty at the disciplinary hearing, shall be subject to one or more of the following:

- a. Only the Warden shall approve continuous disciplinary detention for more than (30) days.
- b. The maximum sanction for a rule violation is no more than sixty (60) days for all violations arising out of one incident. The Warden must approve any sanction for continuous confinement for more than thirty days.
- c. Referral to Classification for consideration of a change in custody status that may also result in a change in an inmate's housing assignment.
- d. Referral to the Housing Hearing Board after the disciplinary period.

- e. Restitution.
- f. Loss of privileges for up to sixty (60) days.
- g. Loss of work assignment.
- h. Loss of up to one-hundred (100%) of good time credit already earned for good behavior.

3. CLASS II – SERIOUS OFFENSES

- 201 Class II Assault** is willfully subjecting an employee to offensive bodily contact.
- 202 Extortion, blackmail protection** is demanding or receiving money or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing.
- 203 Threatening conduct** is
- (a) Communicating intent to injure another person or commit a crime of violence or an unlawful act dangerous to human life that:
 - (1) Places another person in fear of serious bodily injury;
 - (2) Causes evacuation of a building; or
 - (3) Causes serious disruption or alarm.
 - (b) Willfully compelling or inducing another person to engage in conduct from which the latter has a legal right to abstain or prohibiting conduct in which he/she has a legal right to engage, by means of instilling a fear that non-compliance with the demand will result in one of the following:
 - (1) Bodily injury to someone;
 - (2) Significant damage to property;
 - (3) Accusing someone of an offense or causing charges to be instituted against someone.
- 204 Possession of Serious Contraband.** Serious Contraband is any item in an inmate's possession or control (to include within his or her cell, clothing or immediate surroundings) not purchased from canteen, not issued by the facility or not authorized by the Warden or designee. Items of Serious Contraband include but are not limited to:
- (a) Any intoxicating beverage to include possession, having control of, making, using or being under the influence;
 - (b) Smoking materials and tobacco products, and
 - (c) Currency or coins.
- 205 Creating a Minor Disturbance.** Willfully causing a non-violent disorder that disrupts the orderly operation of the facility.
- 206 Sexual Activity** is consensual activity between two inmates or an inmate and a visitor during a social visit as follows:
- (a) Homosexual Activity -- physical contact with the genital parts, oral or anus of another person of the same sex.
 - (b) Heterosexual Activity -- physical contact of the breasts, genitalia, oral or anus of a person of the opposite sex.
 - (c) Sexual Contact -- The touching or (fondling), with any clothed or unclothed body part or object, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.
- 207 Indecent Exposure** is the intentional exposure of genital parts to any person.

- 208 **Theft** is willfully taking or withholding the property of another person or entity without permission, authorization or authority.
- 209 **Damage or destruction of property** occurs when an inmate destroys property belonging to the institution or to any person or does damage to property of the District of Columbia or any individual.
- 210 **Possession of Stolen Property** is having the property of another or when the owner has not received official written approval to give the property away.
- 211 **Disrespect** is making any profane, obscene, or abusive gesture or remark to, about, or in the presence of any employee, volunteer, or visitor.
- 212 **Lack of Cooperation is:**
- (a) Willfully disobeying a valid order of a correctional employee; or
 - (b) Failing to respond to any question or direction of any employee of the Department or other custodial official.
- 213 **Fighting** is when two or more inmates engage in a physical altercation leading to the exchange of blows or bodily contact.
- 214 **Illegal Enterprise** is running a store or stockpiling canteen in excess of authorized limits for the purpose of profit or personal gain or providing unauthorized services for payment.
- 215 **Falsifying Physical Evidence is:**
- (a) Altering, destroying, concealing, or removing anything, with intent to impair its authenticity or availability in any official investigation or proceeding; or
 - (b) Presenting or using anything that is known to be false with intent to deceive an employee or anyone who is or will be involved in a proceeding or investigation.
- 216 **Forgery or Tampering** is the fraudulent reproduction or alteration of a document or other written item.
- 217 **Lying is:**
- (a) Making a willful, malicious or false report or statement to or about an employee;
 - (b) Making a false statement with intent to avoid disciplinary action for violation of an institutional regulation or to aid another inmate in such an endeavor; or
 - (c) Knowingly making a false statement about another inmate with the intent of causing the inmate harm or affecting the inmate's housing or program status.
- 218 **Impeding an Employee in the Performance of Duties** is intentionally obstructing, interfering, opposing or resisting an employee in an investigation or the performance of any duties.
- 219 **Giving a False Alarm** is communicating an untrue report concerning a fire, explosion, or the present commission of an assault, forcible sexual assault or kidnapping, or other catastrophe or emergency where the report is likely to cause the evacuation of a building or to cause the staff to respond to the alarm.
- 220 **Out of Bounds** includes:
- (a) Failure to report to an appointed place of duty or assignment or any other place to which directed by a valid order of an employee or regulations;
 - (b) Leaving any place where directed to remain by an employee or institutional regulations;
 - (c) Being in an unauthorized area; or
 - (d) Breaching confinement from one's cell.

221 Tampering with a locking device to include but not be limited to cell doors, bars, grills, handcuffs, leg irons.

4. PENALTIES FOR CLASS II OFFENSES. If, after a hearing pursuant to Disciplinary Board procedures, the accused is found to have committed a Class II Serious Offense, the inmate is subject to any one or more of the following:

- a. Disciplinary Detention for up to thirty (30) days.
- b. When an inmate is found guilty of multiple Class II offenses, the maximum sanction may be increased to up to sixty (60) days for the combined violations that arose out of the one incident. Only the Warden shall approve continuous Disciplinary Detention for more than thirty (30) days.
- c. Referral to Classification for consideration in a change in custody status that may also result in a change in an inmate's housing assignment.
- d. Referral to the Housing Hearing Board after the disciplinary detention time.
- e. Restitution.
- f. Loss of social visits, telephone or canteen purchase privileges for up to sixty (60) days.
- g. Extra duty.
- h. Loss of work assignment.
- i. Execution of the imposed sanction may be suspended upon conditions of the inmate maintaining clear conduct for a specified time period.
- j. Loss of up to fifty (50%) of good time credits already earned for good behavior.
- k. An inmate who is found guilty or has three (3) or more repeated violations of a particular Class II offense during the current periods of incarceration may receive allowable penalties of a Class I offense.

5. CLASS III – MODERATE OFFENSES

301 Minor Contraband is:

- (a) Possession of any article other than those defined as major or serious contraband, which is not issued by the institution, not purchased from the canteen, or not specifically authorized by the Warden or designee; or
- (b) The use of any article in a manner contrary to the intent or provisions of issuance, purchase, or authorization.

302 Interference with the Orderly Operation of the Facility is:

- (a) Engaging in loud or boisterous talk, laughter, whistling, or other vocal expression, if such is, or may tend to be, disruptive of order or a disturbance to others;
- (b) Willfully failing to proceed from place to place within the institution in a prompt and orderly way;
- (c) Failure to promptly enter one's cell; or
- (d) Approaching or speaking to any visitor, unless first authorized to do so by a correctional employee.

303 Gambling is:

- (a) Playing any game including but not limited to card or dice for money or other things of value;
- (b) Betting by those observing a game in person or while listening to the radio or looking at television, or

(c) Organizing any game of chance, lottery, betting pool, or other methods of gambling.

304 Misuse of Authorized Medication is hoarding or giving personally prescribed medication to another inmate.

305 An Inmate Detail Worker's Refusal to Work, Failure to Perform Work as Instructed by the Supervisor/Other Authorized Employee or Unexcused Absence from Work or any Assignment.

306 Removal or Destruction of Institutional Armband

6. PENALTIES FOR CLASS III OFFENSES. If, after a hearing pursuant to disciplinary procedures or through informal resolution the accused is found to have committed a Class III Moderate Offense, the inmate is subject to any one or more of the following sanctions:

- a. Loss of social visits, telephone or canteen purchase privileges for up to sixty (60) days.
- b. Extra duty.
- c. Loss of work assignment.
- d. If after a hearing and a finding of guilt, the imposition of Disciplinary Detention that does not exceed ten (10) days.
- e. Execution of the imposed sanction may be suspended if the inmate maintains clear conduct for a specified time period.
- f. Loss of up to twenty-five (25%) of good time credits already earned for good behavior.
- g. Repetition of Class III Offenses. If found guilty, an inmate who is found to have three (3) or more repeated violations of a particular Class III offense during the current period of incarceration, may receive allowable penalties of a Class II offense.

7. CLASS IV – MINOR OFFENSES

401 Disorderly Appearance is an inmate's failure to keep his or her clothing and person reasonably clean and orderly.

402 Creating a Health, Safety, or Fire Hazard includes any activities, which may cause a fire or creates a danger to health and safety.

403 Abuse of Privileges is violating any institutional regulation relating to a privilege such as telephone use or removing food from the culinary area.

404 Abuse of Living Quarters is an inmate's:

- (a) Failure to make his or her own bed neatly each day;
- (b) Failure to keep his or her own living quarters clean and orderly;
- (c) Failure to keep articles issued by the institution or purchased from the canteen neatly in an approved place;
- (d) Covering or obstructing air exchange vents, light fixtures, windows and cell doors; or
- (e) Painting or drawing on or adhering items to walls and fixtures.

405 Unauthorized Use of Property is taking, exercising control over, or otherwise using property without consent or authorization.

8. PENALTIES FOR CLASS IV OFFENSES. If, after a hearing pursuant to disciplinary procedures or through informal resolution, the accused is found to have

committed a Class IV Minor Offense, the inmate is subject to any one or more of the following.

- a. Loss of social visits, telephone or canteen purchase privileges for up to thirty (30) days.
- b. Restitution.
- c. Reprimand and Warning.
- d. Confiscation of the item.
- e. Extra duty.
- f. If after a hearing and a finding of guilt, the imposition of Disciplinary Detention that does not exceed seven (7) days.
- g. Execution of the imposed sanction may be suspended upon conditions of the inmate maintaining clear conduct for a specified time period.
- h. Repetition of Class IV Offenses. If found guilty, an inmate who is found to have three (3) or more repeated violations of a particular Class IV offense during the current period of incarceration, may receive allowable penalties of a Class III offense.

DISCIPLINARY REPORTS (DR)

The DR shall include your name, DCDC #, Housing Unit, Cell #, the squad (when the incident occurred at your work site), and the charges against you including: (1) the specific rule(s) violated [ex: Assault with Serious Injury], (2) the Code Reference [ex: Code 1, Section 107 (a)], (3) witnesses to the alleged offense, (4) a formal statement of the charge to include who was involved, what happened and the time and location of the occurrence, (5) any unusual behavior, (6) any physical evidence and its disposition, and (7) confidential information and any other reports, memoranda, or records concerning an alleged offense shall be attached to the investigative report. (8) any immediate action taken, including the use of force; and (9) the reporting staff member's signature and date and time of the report.

Filing

The writer shall file the disciplinary report with the Shift Supervisor before completion of the tour of duty on the day of the incident. In exceptional circumstances, the report may be filed within two (2) business days of the alleged offense. Such exceptional circumstances shall be noted on the report and approved by the Shift Major.

Investigation

The Investigating Officer shall complete the investigation within 48 hours of the disciplinary report (DR) being filed. The Investigating Officer shall review the DR for sufficiency, clarity, correct dates, times, misspellings and will ensure that the charges are supported and are correct. The Investigating Officer may interview and obtain statements from the charged inmate and other witnesses, including witnesses requested by the charged inmate. The Investigating Officer can reject the DR when charges are not supported or at the admission of guilt, reduce the charges with your cooperation by informally resolving a Class III or Class IV offense, or refer the DR for a hearing.

Informal Resolution Determination of Class III and Class IV Offenses

The Investigating Officer shall advise you of your right to remain silent and that anything said can and may be used against you at this and any subsequent proceedings. The official may impose any sanction(s) designated as appropriate penalty for the particular

charge(s) with the exception of Disciplinary Detention. Proposed discipline shall be discussed with you prior to your agreeing to plead guilty. If the Investigating Officer is successful with informal resolution, a record of the incident and resolution shall be completed and filed with the Disciplinary Board Officer. The decision shall be final. You must sign the Disciplinary Investigation Report attesting to agreement with informal resolution. You may also prepare a written statement, which the official shall attach to the informal resolution report. Any offers of settlement made during unsuccessful attempts at informal resolution are not binding in any way on a Hearing Officer or the Disciplinary Board in a formal hearing on the charges.

Notice of Formal Disciplinary Action and Procedures

The Investigating Officer will advise you of pending discipline, of your right to remain silent and that what you say can and may be used against you at this and any subsequent proceedings.

The Investigating Officer will record your statement or note when you want to make a statement.

The Investigating Officer will give you a copy of the DR.

You have the option to be heard by a single Hearing Officer or the Disciplinary Board.

You also have the option to have representation from a Public Defender Service representative for Class I offenses and a DOC staff representative for Class II offenses.

You have a right to present evidence at the hearing and you should advise the Investigating Officer of witnesses you want to call.

You will be asked to sign the Investigation Report to show you received a copy. Doing so does not admit guilt.

PREHEARING DETENTION

A Shift Lieutenant with the approval of the Shift Captain or higher authority may place you in prehearing detention when it is necessary to protect you, other inmates, or to ensure the safe, secure and orderly operation of the facility.

DISCIPLINARY BOARD HEARINGS

Hearings are held Monday through Friday, except holidays. You should have a hearing within seven (7) days (not including weekends and holidays) of the alleged offense. The Hearing Officer will let you know twenty-four (24) hours in advance of the hearing. You may request a three (3) business day continuance if your representative or an important witness is not available or further investigation is needed.

INMATE REPRESENTATION

In a Class I Offense, the legal representative or in a Class II Offense, the staff representative may (1) interview you prior to the hearing, (2) talk to witnesses, (3) review statements and charges, (4) make a statement and present evidence at the hearing, and (5) help you to present your defense.

DISCIPLINARY BOARD/OFFICER

Individuals selected to hear your case are staff who did not participate in the incident in any way and must provide an impartial hearing.

DISCIPLINARY HEARING PROCEDURES

You are required to attend the hearing unless you waive your presence in writing or security concerns dictate that you not be present. DOC may remove you from the

hearing if your conduct requires removal. You will be informed of your rights. The hearing will be taped or detailed notes will be taken. All reports and evidence will be read to you. You are allowed to make a statement and present evidence or remain silent. You may hear witness testimony but only your representative or the Board/Officer can question witnesses. The number of witnesses will be limited to those who can provide testimony to the incident without everyone repeating the same testimony or when bringing the witness to the hearing poses a security problem.

The Board/Officer will decide and advise you of the finding of guilt or innocence. If the finding is guilt, you or your representative can make a final statement on your behalf. The Board/Officer may review your institutional record for past disciplinary reports and behavior to help determine appropriate discipline. The Board/Officer will tell you the decision. Within five (5) business days, the Warden/designee will either: (1) approve the findings, (2) vacate a finding of guilt and all sanctions, (3) reduce the sanctions, or (4) send your case back for further proceedings.

APPEAL

You or your representative may send a written appeal to the Warden within three (3) business days based upon challenges to the evidence or the amount of punishment. The Warden will provide you with a written decision within ten (10) business days of receipt of your appeal.

DISMISSAL

The Disciplinary Officer shall remove the DR and evidence from your record when you are found not guilty of the entire DR.

DISCIPLINARY DETENTION

Placement in disciplinary detention may only occur after a guilty finding for a rule violation. Restrictions in disciplinary detention include: no social visits, limited telephone calls, no participation in education instruction (except for general and special education and related services for eligible youth offenders), no participation in other facility programs, and removal from work detail assignments for a period of not less than six (6) months.

NOTE: Inmates in pre-detention are not subject to the following restrictions.

ADMINISTRATIVE SEGREGATION (AS) AFTER RELEASE FROM DISCIPLINARY DETENTION

You may be separated from the general population after your period of discipline when any of the following are apparent: (1) there is a clear and present threat to your personal safety and involuntary protective custody is deemed appropriate, (2) there is a clear and present threat to support your request for voluntary protective custody, (3) you pose a clear and present danger to the safety of others, (4) you pose a definite escape risk, or (5) you have been referred for criminal prosecution or are under investigation for a crime you committed while incarcerated. The Warden or designee shall review your status within seventy-two (72) hours.

HOUSING HEARINGS

Housing hearings are held before a housing board to allow for a full and fair determination for placing an inmate in Administrative Segregation.

You will receive notice that a housing hearing has been scheduled at least twenty-four (24) hours in advance. The notice will inform you of the following: if the matter has been

referred for criminal prosecution, that you have the right to remain silent, that your silence alone will not subject you to disciplinary action, that you are entitled to testify at the hearing but that any testimony given may be used against you in future housing hearings, disciplinary hearings, or criminal prosecutions.

The hearing officer may appoint a staff representative to assist you if needed.

At the hearing the housing board will advise you of your rights and present findings and supporting evidence for any proposed action.

If the housing board determines that administrative segregation is appropriate, the hearing officer will prepare, within two (2) business days of the hearing, a written statement of the housing board's decision and the information upon which the decision is based.

APPEAL

You may submit an appeal within three (3) business days to the Warden. The Warden will issue a written decision to your appeal within three (3) business days of receipt of your appeal.

ADMINISTRATIVE REVIEW REHEARINGS

The housing board will review your status every seven (7) days for the first two (2) months and every thirty (30) days thereafter to determine if you can be placed in a less restrictive status. You may appear at each hearing and present any new evidence for the Board's consideration. When the Board determines there is no longer a risk, you may be released to general population.

ADMINISTRATIVE SEGREGATION – GENERAL PRIVILEGES include: medical care, medication and access to basic personal care, showers three (3) times per week, hair care, laundry exchange same as the general population, access to books, visits, mail and telephone calls, religious counseling, canteen, five (5) hours per week out-of-cell recreation, and general and special education related services for eligible youthful offenders.

POLICIES AVAILABLE THROUGH THE LAW LIBRARY

- 1270.1 Victim Information & Notification Everyday (VINE)
- 1300.1 Freedom of Information Act (FOIA)
- 1340.4 Media Public Relations/Scheduling
Department Events/Facility Tours
- 3350.2 Elimination of Sexual Abuse, Sexual Assault
and Sexual Misconduct
- 4020.1 Inmate Orientation
- 4030.1 Inmate Grievance Procedures (IGP)
- 4050.1 Inmate Property
- 4070.1 Inmate Telephone Access
- 4070.4 Inmate Correspondence and Incoming
Publications
- 4080.2 Video Visitation Center/Special Visits
- 4090.3 Classification (Program Review)
- 4110.7 Educational Services
- 4151.1 Inmate Recreation Program

4157.1 Canteen Operations
4160.3 Access to Legal Counsel (Attorney Visits)
4160.4 Library Services
4160.6 Inmate Marriages
4210.2 Inmate Institutional Work Program
4220.1 Inmate Release Gratuity
4340.2 Educational Good Time Credits
4341.1 Good Time Credits (GTC)
4350.1 Sex Offender Registration
4353.3 Separation Cases
4410.1 Religious Programs
5300.1 Inmate Disciplinary and Administrative
Housing Hearing Procedures
6060.1 Smoke/Tobacco Free Environment