



**Inmate Handbook  
2023 Edition**

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Secretary of Corrections**

The Pennsylvania Department of Corrections operates as one team, embraces diversity, and commits to enhancing public safety. We are proud of our reputation as leaders in the corrections field. Our mission is to reduce criminal behavior by providing individualized treatment and education to offenders, resulting in successful community reintegration through accountability and positive change.

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This handbook provides general information regarding Department of Corrections (DOC) policies and procedures. When DOC policies are changed, you will be given notice of the change(s) and the most current policy will become effective, regardless of what information is in this handbook. You are to keep this handbook until you are released; if it is lost or destroyed, you may purchase a new one.

Procedures at each DOC facility are made available during reception and orientation. Additional information about programs or services is available in the Facility Handbook Supplement, or by sending a request slip to the staff member in charge of that program or service.

You are responsible for following all of the DOC rules that directly affect you. When a rule change is made, you will be given a memo that outlines the change and/or a notice will be posted on the housing unit. All notices and signs prepared by DOC officials are considered policy and must be followed. Copies of policies and procedures that contain rules that directly affect you are available on the housing unit and in the facility library. See **DC-ADM 007, "Access to Provided Legal Services,"** for specific information concerning viewing and/or obtaining copies of policies.

## I. Accounting

### A. General

1. The facility inmate accounting office will maintain a personal account for all money you receive. This account is a non interest bearing account. You may choose to open a savings account with a bank in the community if you wish to earn interest.
2. You will be given a receipt for all money received (certified checks, electronic transfers, etc.) that is placed in your account. Cash, money orders, and personal checks will not be accepted and will be returned to the sender. Please see **DC-ADM 803, "Inmate Mail and Incoming Publications,"** for more information.
3. Family members may send money to your account electronically. Please advise your family to review the "JPay Information" link on the Department's website for more information.
4. If you have a job, or are approved to receive the General Labor Pool (GLP) allowance, the money you earn will be placed in your inmate account after the payroll is approved. See **Section XI. G.** of this handbook and **DC-ADM 816, "Inmate Compensation"** for more information on the GLP allowance.
5. You will be given a monthly statement showing all activity on your inmate account-the money put into your account, the amount you spent, and the balance to date. Keep this for your records as it is your responsibility to manage the funds in your account and track the balance of any automatic deductions (VCF, Act 84, etc.). Any discrepancy must be immediately reported by request slip to the Inmate Accounting Office.
6. You may use money from your inmate account to:
  - a. send money to immediate family members that are on your approved visitor list;
  - b. pay legal or attorney fees;
  - c. pay for commutation application, insurance premiums, education supplies, magazines, newspapers, books, articles, cable television fees, and approved commissary items;
  - d. pay expenses for authorized education courses;
  - e. make deposits to outside savings accounts/investment accounts;
  - f. donate to organizations or individuals other than immediate family (with approval of the Facility Manager);

- g. pay additional amounts towards your court ordered debt (fines, costs, restitution, and Crime Victims Compensation Fund [CVCF]); and/or
  - h. escrow monies for release for payment to the CVCF assessed by Counties.
7. You are not permitted to:
- a. open or have a joint account with another inmate;
  - b. transfer or receive negotiable instruments, money, or items of monetary value to or from staff, other inmates or reentrants or their immediate families without prior approval of the Facility Manager;
  - c. purchase commercial advertising services; for the purpose of this provision, inmates are specifically prohibited from purchasing advertising services for pen pals;
  - d. transfer or receive negotiable instruments, money, or items of monetary value that were obtained illegally;
  - e. request to stop payment on a check that was issued at your request; and/or
  - f. use a checking account that was opened prior to your incarceration or open a checking account while you are incarcerated.
8. You may be eligible for state issued stationary, writing instruments, postage, and copying costs if you qualify as being indigent:
- a. as defined in **DC-ADM 803**, being indigent means that you had \$10.00 or less in your account for the previous 30 days. There is a difference between indigence that is self-caused and indigence that is caused despite your best efforts:
    - (1) self-caused indigence means you have refused to work, have deliberately depleted your account, or you are a long-term disciplinary custody case; and
    - (2) indigence that is not self-caused means that you are unable to work or have been in Administrative Custody for a reason other than your own behavior.
  - b. if you have funds in another account, which if deposited in your facility account would bring your balance to more than \$10.00, you will not be considered indigent;
  - c. if you have not made a good faith effort to manage your money to be able to pay the necessary costs, you will not be considered indigent;
  - d. you are responsible for requesting and proving your indigence by notifying the Business Manager in writing each month of your possible indigent status; and/or
  - e. the Business Manager will notify you if you are considered indigent.
9. The following personal documents will be held by the facility Business Office until your release: birth certificate, Social Security Card, Driver's License, state I.D. Cards, savings account identification (e.g., account identification card, check cashing, or debit card, etc.).
10. Approximately six months prior to your scheduled release, the money needed to pay for release costs (e.g., bus ticket, train ticket, etc.) will be set aside in your account.

## **B. Collection of Inmate Debts (DC-ADM 005)**

1. In accordance with **42 Pa. C.S. §9728**, the Department will collect money from your account if the court orders you to pay restitution, reparation, fees, costs, fines, and/or penalties associated with the criminal proceedings. The Department shall also collect court costs and filing fees as ordered by the court.

2. You may be assessed charges for damages to state property in accordance with **DC-ADM 801, "Inmate Discipline."**
3. Prior to your release to parole supervision or to a Community Corrections Center (CCC), the facility will provide a record of payments made, remaining account balances of any court ordered restitution, and/or other court related financial obligations to the Pennsylvania Parole Board or the Regional Office of Community Corrections.
4. Certain inmates are required to pay a fee to the Crime Victims Compensation Fund (CVCF). The amount of the fee varies depending upon the date the crime was committed, and the amount specified in the sentencing order. Your Counselor will advise you of the amount owed.
5. If you are released at the expiration of your maximum sentence, the Business Office will provide a record of payments and remaining account balances of any court ordered restitution or other court related financial obligations to the county collection agency designated by the court order.

### C. Copying Charges

You may have documents copied, but you must pay for them. The cost for copies of information contained in your inmate file and your medical file is different. See **DC-ADM 003, "Release of Information."**

### D. Private Business

You are not permitted to incorporate or engage actively in a business or profession while under the supervision of the DOC. If you engaged in a business or profession prior to your incarceration, you must assign authority for the operation of the business or profession to a person in the community. Even though you have turned over the operation of a business or profession to another person, there may be an occasional need for a decision substantially affecting the assets or prospects of the business. The Facility Manager may, upon request from you, authorize a special visit for such extraordinary occasions. Conducting a business or profession, except as noted below, will subject you to a misconduct. There are exceptions:

1. if you are un-sentenced, you may continue to control your business or profession if it does not place undue burden on the facility;
2. if you are in a Work Release Program, you may engage in a private business or profession, as part of your Work Release Program, if it does not place undue burden on the facility; and
3. if you are transferred to a CCC, you may engage in a private business or profession as part of your community-based program.

## II. Daily Operations

### A. Identification Cards

Each inmate is issued an Identification Card (I.D.). You must carry your I.D. card at all times, other than to/from the showers. You must show your I.D. card and give your name and number to any employee who asks for it. You should keep your I.D. card in good condition; it is used for commissary and other activities. Lost, destroyed, or damaged I.D. cards must be replaced immediately; the cost will be charged to your account. You must obtain a new I.D. at your

expense when there is a significant change in your physical appearance, weight gain/loss, growing/shaving facial hair, etc. The cost of the new I.D. card will be determined at the time you receive it.

## B. Pass System

You must have a signed pass when you go from one part of the facility to another. The only exception is group movement such as meals, recreation, work lines, etc. You must use the shortest route to go from point to point without delay. If you do not use the shortest route, you may be issued a misconduct for being in an unauthorized area. A staff member must sign the pass at the beginning and end of the movement. You must show your pass and I.D. to any employee who asks for them.

## C. Request Slips

A **DC-135A, Inmate's Request to Staff Member** is used to ask for information, interviews, or other things from staff members. This form is available on the housing unit. You must use a request slip to arrange a time to speak with staff concerning specific issues. The form has space for you to state the nature of your request. Be sure to write clearly and fill in all the sections at the top of the request slip. Any use of UCC references along with your signature could result in your correspondence or request slips being returned. In most cases, staff will respond to your request slip within five working days.

## D. Searches of Inmates and Cells (DC-ADM 203)

1. Your cell may be searched as part of a general search, randomly selected, or as part of an investigation. During a cell search, precautions are taken to avoid damage to items in the cell. Any item that is contraband or evidence of a crime or misconduct will be confiscated. You will be given a **DC-436A, Receipt for Property** for any item that is removed.
2. If you have excessive personal property in your cell, you may choose to have these items (excluding food items) destroyed or mailed to someone (you must pay the shipping cost). You are not permitted to ship items that are contraband.
3. Confiscated money will be deposited in the Inmate General Welfare Fund (IGWF).
4. Excessive state issued items will be confiscated; you may be issued a misconduct if the items have been altered or are unusable. A **DC-436A** will only be used for non-state issued items and for those that are the subject of a misconduct.
5. You may be present when your cell is searched unless: the ranking officer conducting the search determines that your presence would be a threat to staff or other inmates and/or the security of the facility; if the search is being conducted under emergency conditions; or if your presence will impair an ongoing investigation of criminal activity or violation of facility rules.
6. A random search of your cell may be conducted at any time, but no later than one hour after the facility is locked up for the evening.
7. Before the search, an officer will notify you that your cell has been randomly chosen and you will be given the option of remaining during the search.

8. Your cell may be searched as part of an investigation when there is reasonable suspicion that you or your cellmate are concealing contraband, are involved in criminal activity, or involved in an activity that could threaten the security of the facility.
9. Your cell may be scanned by an electronic drug detection device or drug dogs for narcotics. This may be done without you being present.
10. Your cell will also be inspected for health, safety, and security reasons. A security inspection is conducted to check things such as doors, windows, bars, electrical fixtures, and plumbing. Your personal property will not be searched or disturbed during a security inspection except to the extent necessary to gain access to the things to be checked. Your presence is not required during a security inspection.
11. You may be searched at any time and in any area of the facility. Staff of either gender may conduct a pat search of a male inmate. Unless it is an emergency, pat searches of female inmates will be conducted by female staff. Pat searches will be conducted in a professional manner. Unless previously approved for an accommodation, a transgender inmate will be searched by staff as noted above. During a pat search, you must:
  - a. remove all items from your pockets and place them on a suitable surface;
  - b. stand still with your feet apart and arms extended outward, palms upward; and
  - c. follow the directions given by the staff member conducting the search.
12. You may be strip searched, when necessary, for the security and safe operation of the facility.

You will be strip searched:

- a. upon reception;
  - b. before and after every contact visit;
  - c. when leaving the facility grounds and upon your return;
  - d. following activities where you have the opportunity to mingle with outside groups, particularly where there are large numbers of people under minimal supervision;
  - e. periodically if you are permitted to move in and out of the gate areas;
  - f. when there is reason to believe that you are involved in an escape plot or in possession of contraband;
  - g. when you enter or leave any restricted area;
  - h. when you are admitted to, or discharged from, a level 5 housing unit;
  - i. prior to placement in a psychiatric observation cell (POC); and/or
  - j. before and after being transported outside the secure perimeter.
13. Strip searches will, whenever possible, be conducted in an area separate from other inmates for privacy and to limit embarrassment. Unless it is an emergency, a staff member of your gender will conduct the strip search. Unless previously approved for an accommodation, transgender or intersex inmates will be searched by a staff member consistent with the gender of inmates housed at that facility. The staff person conducting the search will avoid touching you except as required to control you, if necessary.
  14. Strip searches will be conducted in a professional manner. When you are strip searched, you must:
    - a. remove all items from your pockets and place them on suitable surface;
    - b. remove all your clothing;
    - c. stand still with your feet apart and arms extended outward, palms up; and



- d. follow the direction given by the searching staff member.
15. A body cavity search may be conducted when there is reasonable belief that you are concealing contraband inside your body. A body cavity search may be authorized by the Facility Manager/designee when it has been determined that there is imminent danger to your health or to facility security or safety.
16. An inmate body scanner screening may be conducted including, but not limited to the following situations:
  - a. before and after every contact visit;
  - b. when there is reason to believe any foreign substance(s) are in the body to warrant dry cell placement;
  - c. upon an inmate's return from outside activities, supervised outside leave, and furloughs;
  - d. upon reception, return from court, and return after the inmate has left the facility grounds for any reason;
  - e. following an activity where an inmate has had the opportunity to mingle with outside groups, particularly where there are large numbers of people under minimal supervision;
  - f. periodically for an inmate who is permitted to move in and out of the gate areas;
  - g. when there is reason to believe that an inmate is in an escape plot or possession of contraband;
  - h. when an inmate enters or leaves any restricted area;
  - i. when an inmate is admitted/discharged from a security level 5 housing unit or mental health unit; and
  - j. prior to being transported outside the secure perimeter.
17. A body scan shall not replace the need for an unclothed and/or pat search.
18. Every inmate is required to comply with the following procedures when being screened with a body scanner device:
  - a. remove all items from pockets and place them in a hat, on a shelf, desk, or other suitable location;
  - b. stand still with feet on the footprint template of the body scanner, with arms relaxed hanging down to the side, and head rotated downward looking at his/her feet; and
  - c. follow verbal direction given by the body scanner operator(s).

## **E. Facility Management**

1. The Facility Manager is in charge of the security, programs, and activities of the facility.
2. There are at least two Deputy Superintendents at each DOC facility. The Deputy Superintendent for Facilities Management (DSFM) is in charge of unit management and facility security and safety. The Deputy Superintendent for Centralized Services (DSCS) is responsible for medical and mental health care, Correctional Industries, education, activities, and food services.
3. There is at least one Major at each facility. The Major supervises all facility corrections officers and the Unit Management Teams assigned to each housing unit. At facilities with two Majors, these responsibilities are shared between the Majors.
4. The Corrections Classification Program Manager (CCPM) is responsible for inmate records, activities, volunteers, religious programs, inmate employment, and treatment programs.

## F. Resolution of Problems

1. Problems on your housing unit should first be directed to a Corrections Officer on the unit. If the officer cannot resolve the issue, you should bring the problem to the attention of your Counselor or Unit Manager. If the issue is not resolved at that level, it should be brought to the attention of the Zone/Area Lieutenant, Shift Commander, then the Major, or the proper chain of command at your facility.
2. Treatment matters should be discussed first with your Counselor. Your Counselor can also help you with program changes, pre-parole matters, and personal problems.
3. Problems with your work assignment should be directed to your work supervisor.
4. Problems with academic/vocational education should be directed to the School Principal.
5. Problems with attending religious gatherings or regarding the need for a religious accommodation should be directed to the Chaplaincy Program Director (CPD).

## G. Abuse Allegations (DC-ADM 001)

1. The Department does not permit any inmate to be subjected to abuse. All allegations of abuse are thoroughly investigated. Abuse includes:
  - a. unwarranted/improper use of force;
  - b. the use of excessive force upon you;
  - c. an occurrence of an unwarranted life-threatening act against you; and/or
  - d. an articulated verbal or written threat to inflict physical injury directed toward you.
2. Excluded from being reported as abuse in this subsection are:
  - a. conditions of confinement;
  - b. claims of inadequate medical or intentionally denied medical care; and
  - c. harassment or non-performance of duty by a staff member.
3. Allegations of abuse may concern:
  - a. persons who are employed by the Department;
  - b. inmates;
  - c. persons having business with or using the resources of the Department; and/or
  - d. persons attempting, establishing, or maintaining contact with inmates.
4. If you are a victim of abuse, you need to report the abuse:
  - a. report it verbally or in writing to any staff member;
  - b. file a grievance (see **DC-ADM 804, "Inmate Grievance System"**);
  - c. report it in writing to the Bureau of Investigations and Intelligence (BII) at Central Office; and/or
  - d. report it by calling the BII Hotline, 717-728-0337.  
NOTE: Be advised that the BII Hotline is not a recognized method of reporting PREA allegations.
5. A third party may make reports of allegations of inmate abuse, verbally or in writing, to any staff member at the facility or BII at Central Office by calling the BII Hotline.

6. All complaints made should be specific regarding the alleged staff member or staff members and the specific details of the alleged abuse.
7. If you make a false allegation, you may be issued a misconduct.
8. For more information about abuse allegations, refer to **DC-ADM 001, "Inmate Abuse."**

#### **H. Prison Rape Elimination Act (PREA) (DC-ADM 008)**

It is the policy of the Department to prohibit any form of sexual abuse and/or sexual harassment of an inmate. The Department has zero tolerance for sexual abuse or sexual harassment of any individual under the supervision of the Department. Anyone who engages in, fails to report, or knowingly condones sexual abuse or sexual harassment of an inmate shall be subject to disciplinary action, up to and including termination, and may be subject to criminal prosecution. An inmate, employee, contractor, or volunteer of the Department is subject to disciplinary action and/or sanctions, including possible dismissal and termination of contracts and/or services, if he/she is found to have engaged in sexual abuse or sexual harassment of an inmate. A claim of consent will not be accepted as an affirmative defense for engaging in sexual abuse or sexual harassment of an inmate. **(28 C.F.R. §115, §115.11)**

1. Sexual activity between a staff member and an inmate can **never** be consensual and is **always** against the law.
2. Zero Tolerance also includes a prohibition against retaliation, by either staff or inmates. Retaliation is an act of vengeance, covert or overt action, or threat of action, taken against an inmate or staff in response to a complaint or cooperation with an investigation into sexual abuse or sexual harassment. For an act to be considered retaliation, the act must be deliberate and have a direct nexus to an individual's reporting of an allegation or cooperation with an investigation. A mere claim that an act was performed in retaliation for an allegation or cooperation in an investigation does not create a sufficient nexus to find that any alleged action was retaliatory in nature. Filing an allegation does not insulate an individual from justified disciplinary reports, denial of privileges, or other justified negative outcomes.
3. Sexual Abuse – As defined by the National Standards to Prevent, Detect, and Respond to Prison Rape includes sexual abuse of an inmate by another inmate, detainee, or resident; and sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer.
4. Sexual abuse of an inmate by another inmate 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 refuse: **(28 C.F.R. §115.6)**
  - a. contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
  - b. contact between the mouth and the penis, vulva, or anus;
  - c. penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
  - d. any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.
5. Sexual abuse of an inmate by a staff member, contractor, or volunteer includes any of the following acts, with or without the consent of the inmate: **(28 C.F.R. §115.6)**

- a. contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- b. contact between the mouth and the penis, vulva, or anus;
- c. contact between the mouth and any body part where the actor has the intent to abuse, arouse, or gratify sexual desire;
- d. 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 actor has the intent to abuse, arouse, or gratify sexual desire;
- e. 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 actor has the intent to abuse, arouse, or gratify sexual desire;
- f. any attempt, threat, or request by an actor to engage in the activities described above;
- g. any display by an actor of his/her uncovered genitalia, buttocks, or breast in the presence of an inmate; and
- h. voyeurism--voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an inmate by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.

## 6. Sexual Harassment

- a. Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature, by one inmate directed toward another.
- b. Repeated verbal comments or gestures of a sexual nature to an inmate by a staff member, contractor, or volunteer including demeaning references to gender, sexually suggestive, or derogatory comments about body or clothing, or obscene language or gestures. **(28 C.F.R. §115.6)**

## 7. Understanding Consent: Sexual abuse happens when consent is not given freely such as when sexual favors are provided in exchange for commissary or protection, someone is manipulated, threatened, or intimidated into a sexual act or physical violence is used or threatened.

If someone is engaging in a "relationship" with someone, it does not mean that they are agreeing to sexual acts with that person or any other person. Even if someone has agreed to sexual acts previously, it does not mean that they are agreeing in the future. Anyone can stop or change their mind during a sexual act. If this happens, both parties should stop.

- ## 8. What to do if you have been sexually abused: After being sexually abused, it can be difficult to know what to do or feel. It is normal to have a lot of different feelings. It is important to know that this is not your fault and you are not alone. But, there are a few things you can do after being sexually abused to be safe.
- a. Tell any staff member as soon as possible to immediately report the incident, maximize the potential for preservation of evidence, and to keep other individuals sexually safe from the same alleged perpetrator(s).
  - b. Although it may be difficult, seek medical attention BEFORE you shower, eat, drink, change clothing, brush your teeth, or use the bathroom. This is to preserve evidence.
  - c. Save any other evidence of the abuse, such as towels or wash cloths used to clean yourself after the incident, clothing containing bodily fluids, etc.

- d. Give as much information as possible to the questions you are asked. Share any concerns for your safety with staff, including threats of retaliation.
- e. Use outside rape crisis center services for counseling and support.

Victims of sexual abuse have access to support services free of charge. Write to:

**Pennsylvania Coalition Against Rape (PCAR)  
P.O. Box 400  
Enola, PA 17025**

You may also contact your facility's PREA Compliance Manager or contact the organization listed on facility PREA postings to arrange for access to this service with the facility's local rape crisis center.

## 9. HOW YOU CAN REPORT SEXUAL ABUSE OR SEXUAL HARASSMENT

- a. Tell any staff member to immediately report the incident.
- b. Tell any supervisor or manager to immediately report the incident.
- c. Make a written request to any staff member, supervisor, or manager.
- d. Send a written report to the third-party reporting address established with the Office of State Inspector General (OSIG).

**ATTN: PREA Coordinator  
Office of State Inspector General  
555 Walnut Street, 8th Floor  
Harrisburg, PA 17101**

- e. Have your family call to notify the facility or contact OSIG.

Reports can be made anonymously and by third parties.

10. NOTE: Written reports require processing time and may not prompt immediate action. If you need immediate attention, please notify a staff member or have your family contact the facility or OSIG.

Be advised that reporting methods do not include the grievance system and the BII Abuse Reporting Hotline, which is designated for physical abuse complaints only. Reports received through the grievance process shall be rejected from the inmate grievance system and referred for investigation. Likewise, reports made to the BII Abuse Reporting Hotline shall be rejected from **DC-ADM 001** procedures and referred for investigation pursuant to **DC-ADM 008**.

## 11. Following a Report

- a. All allegations that fully comport to the definitions of sexual abuse and sexual harassment will be investigated pursuant to **DC-ADM 008**. You will be notified when an allegation does not comport to sexual abuse or sexual harassment, such as when an alleged act is considered to be an official duty.
- b. You will be monitored for evidence of retaliation. For an act to be considered retaliation, there must be a discernable nexus to the act, the underlying allegation, or cooperation in an investigation. Furthermore, actions must be deliberate in nature and not otherwise justified by policy or official duties to be considered retaliatory.

- c. Filing a PREA allegation will not automatically result in a housing unit change for any involved participant. Housing unit changes for involved participants shall be evaluated on a case-by-case basis and at the discretion of the facility's PREA Compliance Manager (PCM)/designee. There is no PREA standard that requires formal separation of any individuals pending investigation of an allegation. Be advised that staff will not be removed from a housing unit or precluded from conducting their official duties without information to support the allegations against them.
- d. Reports that are proven not to have occurred and are made in bad faith shall be subject to disciplinary procedures of **DC-ADM 801**. False allegations compromise safety, erode the credibility of individuals making allegations, and impact the personal lives of all involved.

## 12. Additional Considerations

- a. A properly conducted pat search will make incidental contact with the genitals, which is an official duty. Allegations determined to comport to authorized search techniques will not be considered to constitute sexual abuse.
- b. PREA standards do not preclude staff from incidental viewing of an undressed inmate in their cell. No inmate is permitted to place an unauthorized barrier to obstruct viewing into their cell for any reason, including when an inmate may be using the restroom. Staff removal of such unauthorized barriers will not be considered sexual abuse.
- c. PREA standards do not preclude inmates from seeing one another in a state of undress. Group showers are not prohibited under the PREA standards and inmates must obey orders to return to their cells when their cellmates are using the restroom.
- d. Staff are required to conduct security rounds in restroom and shower areas. Appropriate barriers have been installed to prevent cross-gender viewing or posts have been designated as gender specific to comply with PREA regulations.
- e. Properly conducted strip searches are an official duty. When conducted for authorized purposes and according to training, including all movements in custody level 5 housing units, strip searches will not be considered to constitute sexual abuse.

### I. Inmate Grievance System (DC-ADM 804)

1. You are encouraged to attempt resolution of a concern informally by use of a **DC-135A, Inmate's Request to Staff Member** or direct conversation with the Unit Manager or officer in charge prior to submitting a **DC-804, Part 1, Official Inmate Grievance Form**. This is not required in cases of allegations of physical or sexual abuse.
2. For an emergency, you should speak to the nearest staff person as soon as possible.
3. A grievance regarding an allegation of a sexual nature (abuse/harassment) against a staff member or inmate-on-inmate sexual abuse will not be addressed through the Inmate Grievance System and must be addressed through **DC-ADM 008, "PREA."**
4. The grievance procedure does not apply to issues covered under **DC-ADM 801** and **DC-ADM 802, "Administrative Custody Procedures."**
5. You must submit a grievance to the Facility Grievance Coordinator/designee within 15 working days after the event upon which the claim is based.
6. A grievance must be filed with the Facility Grievance Coordinator/designee at the facility where the grievance event occurred.

7. You must sign and date the grievance with your commitment name and number only, without reference to the UCC, aliases, etc.
8. The text of the grievance must be legible, understandable, and presented in a courteous manner. You must include a statement of the facts relevant to the claim.
9. The statement of facts must not exceed two pages and must be handwritten or typed on writing paper (one **DC-804, Part 1** and one one-sided 8 ½" x 11" page).
10. If you have been personally affected by a Department and/or facility action or policy, you may submit a grievance.
11. Any grievance based on separate events must be presented separately, unless it is necessary to combine the issues to support the claim.
12. Any grievance issue that has been or is currently being addressed will not be re-addressed in a subsequent grievance. Further, any concern disputing a previous grievance, initial review response, appeal decision, or actions of staff members who rendered those decisions must be addressed through the appeal process.
13. Each grievance must be presented individually. A grievance submitted by one inmate for another inmate or a group of inmates is prohibited and will not be processed.
14. If filing a grievance related to a claim of missing property, you must provide documentation such as a **DC-153, Personal Property Inventory Sheet**; **DC-436A, Receipt for Property**; or a **Commissary/Outside Purchase Form** for evidence or proof that the property items were once in your possession.
15. A grievance related to a publication/photograph denial must include a copy of the Notice of Incoming Publication Form in accordance with **DC-ADM 803**.
16. If you file a grievance contesting the accuracy of the Notification of Deductions Memo and/or the Notification of Amended Deductions Memo in accordance with **DC-ADM 005, "Collection of Inmate Debts,"** you must provide valid, official court documentation to dispute such. See **DC-ADM 005** for further instruction.
17. You must notify the Facility Manager or Facility Grievance Coordinator to retain personal property related to a grievance.
18. You shall not be punished, retaliated against, or otherwise harmed for use of the grievance system.
19. If you file five grievances within a 30-day period which have been determined to be frivolous, you may be placed on grievance restriction.
20. At any point in the grievance process, you may withdraw the grievance. To withdraw a grievance, you must use and sign the **Grievance Withdrawal Form**.
21. Any document(s) attached in support of a grievance becomes part of the official record and will not be returned to you.
22. A time extension for filing a grievance will be considered on a case-by-case basis.

23. Upon receiving a response to your grievance, you have 15 working days from the date of the initial response to file an appeal to the Facility Manager.
24. An appeal to the Facility Manager must be clearly labeled as an appeal or you may use the **Inmate Appeal to Facility Manager Form**. You must include a reason(s) for appealing to the Facility Manager.
25. You must receive a response from the Facility Manager before appealing to the Secretary's Office of Inmate Grievances and Appeals (SOIGA). You have 15 working days from the date of the Facility Manager's decision to appeal to SOIGA. Appeals must be addressed to:

**Chief, Secretary's Office of Inmate Grievances and Appeals  
Department of Corrections  
1920 Technology Parkway  
Mechanicsburg, PA 17050**

26. You must include legible photocopies of the initial grievance, appeal(s) to the Facility Manager, all responses, and a brief appeal to SOIGA (not to exceed one two-sided or two one-sided sheets of 8 ½" x 11" sheets of paper) containing a reason for appealing the Facility Manager's decision. SOIGA has 30 working days from the receipt of your appeal to respond.

### III. Inmate Services/Privileges

#### A. Cable Television (DC-ADM 002)

1. The use of the cable television system is a privilege. Misuse of the system or violation of the rules may lead to denial of this privilege as well as legal action against you.
2. You must agree to pay for the cable service, and it is your responsibility to make sure that you have enough money in your account to pay your cable bill when it is due.
3. During an emergency, the cable company or the facility may turn off the cable system.
4. For more information about cable television you should refer to the **DC-ADM 002, "Inmate Cable Television Service"** policy and to your Facility Handbook Supplement.

#### B. Cell Assignments

Upon initial reception into the DOC and after transfer to other facilities, you will be evaluated for your cell assignment. Cell assignments will be based on the staff's evaluation of your previous behavior in a facility. Cell assignments will not be made based solely on race. It is your responsibility to inform the staff of any preferences you have about your cell assignment. A preference filed by you will be assessed by staff, but not necessarily granted.

#### C. Commutation

The Pennsylvania Board of Pardons processes all applications for Clemency regarding the filing of applications requesting clemency of your sentence. A free copy of the application packet and reference information regarding the Clemency/Commutation process is located in your Institutional Library, and you can write to the **Bureau of Standards, Audits, Assessments, and Compliance (BSAAC), 1920 Technology Parkway, Mechanicsburg, PA 17050** for assistance with completing your application or to ask questions. Your Unit Team and Unit Manager/Counselor can also provide information about the application for Clemency process.



#### D. Correctional Plan

Correctional planning begins when you enter the DOC. Since most inmates will eventually return to the community, correctional plans will focus on reentry into the community. Various counseling, psychological, and other types of treatment services are available. You must participate in your Correctional Plan, which outlines various areas you should address, in order to have your best chance at being released on parole prior to the expiration of your maximum sentence and to improve your chance of not returning to prison in the future. Your Counselor will meet with you at least once a year to review your Correctional Plan and advise you on recommended programs and services. Your Correctional Plan is used when considering you for custody level advances, special programs, and parole.

#### E. Education (Academic and Vocational)

1. If you are admitted to the Department on or after July 1, 2004, and do not have a verified General Education Development (GED), High School Diploma (HSD), Commonwealth Secondary Education Diploma (CSD), or Post-Secondary Attendance proof you are considered a mandated GED student. Once identified, you will be enrolled in an appropriate academic education program or placed on a waiting list.
2. All facilities have basic education programs and adult programs leading to the GED test for a high school equivalency diploma or the Commonwealth Secondary Diploma opportunity. At some locations, there are post-secondary level programs available for continuing your education. You should discuss your educational needs and interests with education staff, and take advantage of available programs.
3. Vocational programs are available at each facility. By evaluating your interests and abilities, it may be possible to plan a vocational program that could help you obtain and keep a job when you are released. You should discuss your needs and interests with education staff.
4. If you do not have a high school diploma or GED, you will be assigned to the education program. If no space is available, you will be placed on a waiting list. While you are on the waiting list, you may be assigned a job until space becomes available. As a mandatory student, you will be required to attend school. All efforts will be made to work with your current job schedule.
5. While you are waiting for school space to become available, you will be paid in accordance with **DC-ADM 816**.
6. Inmates attending an academic or vocational class will be paid in accordance with **DC-ADM 816**. The total school hours and work hours combined must not exceed eight hours multiplied by the number of workdays available in the pay period. You will not be paid for any hours over this total.
7. Students enrolled in a full-time vocational program that leads to a license or state and/or federal certification, such as barber and cosmetology students, will be paid in accordance with **DC-ADM 816**.

#### F. Food Services (DC-ADM 610)

1. The Master Menu is a four-week cyclical menu that is served at every state institution. Three meals will be offered during each 24-hour period, there will be no more than 14 hours

between the evening meal and breakfast. Two of the three meals will be prepared hot meals, unless receiving a specific therapeutic or religious diet that requires differently.

2. The Department of Corrections' Master Menu was developed to meet healthy criteria for the first line prevention and management of many chronic diseases. The Master Menu, using the regular entrée, was analyzed using computer software to ensure that it meets a standard of adequacy and individual nutrient goals associated with chronic disease. A non-animal product containing entrée, referred to as the Alternate Protein (AP), is an available choice at every lunch and supper in place of the regular entrée to those receiving a regular meal and is requested using the processes defined at each individual institution. Selection of the AP also helps to increase fiber or to avoid specific animal proteins. Use of these plant based, animal product free entrée options results in further reductions in nutrients of interest for those at risk of or living with chronic disease. Individuals on a therapeutic or religious diet may be restricted from the AP choice due to their special menu or meal plan.
3. Every effort is made to serve the Master Menu as written. However, at times unforeseen or unplanned events may require a change to the meal or require a substitute menu item. Unforeseen or unplanned events can include food supply issues, delivery delays, lockdowns, emergencies, etc.
4. The Department will not use food as a disciplinary measure.
5. You may be served a therapeutic diet if one has been ordered for you by the Medical Department and approved by the Department's Registered Dietitian at Central Office, or a religious diet if you have been approved for one. You must follow the rules of the diet program as they apply to you; abuse of the rules may result in your removal from the program.
6. All meals will be served to you in portioned sizes. If you are receiving a meal tray in the inmate dining hall, you should check your meal tray before you leave the serving line. If you are receiving a meal tray on the housing unit, you should check your meal tray as soon as you receive it and let the unit staff know if there is an issue.
7. When eating in the inmate dining hall, you are expected to follow these dining hall rules:
  - a. meal lines should be orderly, NO line jumping is allowed;
  - b. you must be fully dressed in your state issued clothing;
  - c. you may NOT bring books, papers, or other items into the dining hall;
  - d. QUIET talking is permitted in the dining hall;
  - e. moving from table to table is NOT allowed;
  - f. you may exchange food items ONLY with other inmates seated at your table;
  - g. you may not take any food from the dining hall except for one ration of fresh fruit which must be consumed the day it is issued;
  - h. you will be provided one of each of the eating utensils (knife, fork, and spoon OR knife and spork) at each meal even though you may not have a need for it. You must turn in one of each of the utensils (knife, fork, and spoon OR knife and spork) when you leave;
  - i. you may NOT re-enter any serving line or dining hall once you have eaten during that meal period;
  - j. no electronic cigarettes (E-Cigarettes) may be used in the dining hall;
  - k. you may only go through the line once; and you are encouraged to eat all of the food you receive;
  - l. the inmates working on the serving line may not give your ration of any food item to another inmate; and

- m. if the service line is equipped with a glass or other type of divider, do not touch the glass or knock on the divider.
8. When eating on the housing unit, you are expected to follow these rules:
    - a. you will be responsible for returning all service items given to you, such as: meal tray and lid, cups, utensils, etc.;
    - b. you are only allowed one meal tray. If you are on a therapeutic or religious diet, you will receive that diet tray instead of a regular meal tray; and
    - c. you are encouraged to eat all the food you receive and dispose of all uneaten food items.
  9. Meal Management System (MMS) (Applies when eating in the inmate dining hall)
    - a. At meal time the inmate is required to hand his/her Department issued inmate I.D. card to the Corrections Officer who is positioned at a scanner located on or near the serving line area. The Corrections Officer will confirm the inmate I.D. card belongs to the presenting inmate and then place the bar code section of the inmate I.D. card under the scanner. The Corrections Officer will confirm the bar code has been scanned and return the I.D. card to the inmate. The inmate will then take a position in line to start through mainline.
    - b. Inmates are required to carry their inmate I.D. card on their person at all times and to present it to the Corrections Officer posted at the scanner prior to the inmate entering the serving line.
    - c. If the I.D. card is damaged to the point that the bar code cannot be read, it is the responsibility of the inmate to see his/her Block Sergeant, Unit Manager, or Area/Zone Lieutenant to get a replacement as soon as possible.
    - d. Inmates who arrive during regular meal hours will be provided a meal after their I.D. card has been scanned by the Corrections Officer.
    - e. Inmates arriving outside of regular dining room hours will be provided a meal and their I.D. card will be scanned by the food services staff.
  10. All inmates who are assigned to work in Food Service shall adhere to **DC-ADM 610** and the facility's food services rules regarding sanitation and hygiene during working hours. Inmates are required to wear the appropriate headwear with all of their hair securely underneath the hair restraint and to wear the appropriate beard covering during working hours. All religious headgear must be kept clean and completely covered by a hair restraint approved for use in Food Service. Inmate kitchen workers are required to wear a clean smock or uniform shirt and pants, depending on what your institution supplies.

## **G. Grooming (DC-ADM 807)**

1. Hairstyles for all inmates
  - a. There are no restrictions in regards to the length of your hair. Beards, goatees, mustaches, and sideburns are permitted.
  - b. Your hair must be maintained in a manner that does not pose a concern relating to the health, safety, and security of the facility.
  - c. You may have your bodily hair searched for security and safety purposes.
  - d. You are not permitted to give or receive haircuts from another inmate except as part of the barber or cosmetology school program.
  - e. Coloring, waving, styling, and the use of chemicals are permitted only as provided by the certified training program for barbering and cosmetology in the facility barbering and cosmetology schools and shops.

- f. Specialty cuts or styles such as Mohawks, razor/clipper cut designs, or hair styles which alter the hairline are prohibited. Haircuts and styles are to be symmetrical.
- g. Any haircut, style, or service which requires an unjustified amount of time and impedes services that are to be provided to the facility population is prohibited.
- h. Your hair shall be maintained in a manner so that it will not impede the safe operation of mechanical equipment in both work assignments and in educational programming. You may be required to wear safety and/or protective equipment and your hair shall not interfere with proper use of the equipment.
- i. You are **eligible** to receive a haircut no sooner than once every 30 days; but barber/cosmetology services may be delayed due to institutional needs.
- j. If you receive a cut, shave, or style that creates a significant change in your appearance, this will require a new identification photo. It is your responsibility to pay for the new identification photo.

## 2. Hairpieces

You may have a hairpiece if it is necessary to present a normal appearance as a result of an accident, injury, or disease as verified by the physician.

## H. Mail and Incoming Publications (DC-ADM 803)

1. You are permitted to send and receive mail. You may send up to eight one-ounce letters per month at no cost to you. You may send mail to anyone except: victims of your crime, inmates, former inmates, parolees, probationers, co-defendants, current or former Department employees, current or former contract employees, current or former volunteers, anyone who has an active Protection from Abuse Order (PFA) against you that prohibits such contact, or persons who have informed the Department that they do not wish to receive mail from you. You may send mail by placing it in the collection boxes on your housing unit. You must attach a cash slip for the postage on the mail you send.
2. Incoming mail is processed by the Mailroom each weekday, Monday - Friday, except holidays, and distributed each day. Incoming mail must include a return address or it will be refused. Incoming and outgoing mail must include your committed name, DOC number, and complete address, or it will be returned. **EXCEPTION:** Outgoing mail addressed to the Office of State Inspector General PREA reporting address at PREA Coordinator, Office of State Inspector General, 555 Walnut Street, 8<sup>th</sup> Floor, Harrisburg, PA 17101 is not required to have the inmate name or number on the envelope. The OSIG has asked that anyone making a report include their name and number in the body of the letter so they can identify and communicate with the person making the allegation.
3. Incoming mail may contain copies of internet pages, news clippings, articles, print-outs, or material from social networking, social media, or internet sites if it otherwise complies with the DOC's rules. The content of all such pages received will be reviewed.
4. Incoming mail containing cash, money orders, personal checks, or other prohibited form of negotiable instrument will be treated as contraband and held pending any grievance or appeal concerning it. A Notice of Unacceptable Correspondence will be sent to the inmate, Security, and the sender if identifiable. The prohibited items will be handled ultimately as determined through the grievance process or as policy otherwise dictates. A certified check may only be received as part of a legitimate business transaction. A **DC-130B, Cash Transaction Receipt** will be issued for all certified checks received through the mail as part of a legitimate business transaction and the check will be forwarded to the facility Business Manager and the money deposited into the inmate's account.

5. All mail sent to you will be opened and checked for contraband. Stamps may be removed to inspect for contraband. The Department may read mail sent to you if the Department has reason to believe it is being used to plan an escape, other illegal activity, a misconduct offense, or in connection with a Department investigation. For more information on the handling of legal mail, refer to **DC-ADM 803**.
6. Packaging considered unacceptable due to a security concern (i.e. tyvek, plastic, padded, or cardboard envelopes or boxes) is not permitted. The items will be removed from the original packaging and placed in an envelope. Hard plastic or metal binding is not permitted and will be removed prior to being sent to you. You are not permitted to receive greeting cards in colored envelopes (white envelopes are permitted).
7. No threatening materials, obscene material, or pictorial explicit sexual material, pictorial nudity, contraband, material containing a criminal solicitation, material describing or in furtherance of a criminal plan or of a misconduct offense may be contained in the mail or placed on the envelope. Such mail/envelope will be opened, returned to the sender, or disposed of at the inmate's expense.
8. You are permitted to receive newspapers provided that the publisher sends them directly to you. You may receive magazines as long as they are sent directly to the Security Processing Center (SPC). You are not permitted to receive material that threatens the security of the facility such as information about making explosives, firebombs, weapons, escape devices, alcohol, poisons, or drugs. Publications that advocate overthrowing the government, which create a threat in a correctional setting, contain racially inflammatory material or advocate, solicit, or further a criminal plan or a misconduct offense are not allowed. You may not receive maps that would facilitate the planning of an escape or other criminal activity. You may not receive photographs containing nudity, obscene, or explicit sexual material.
9. Any form of identification received at the institution via the mail service will be confiscated and secured in the facility Business Office. All forms of I.D. secured there will be given to you on your day of release. A confiscation slip will be forwarded to you and to your Counselor.
10. Email
  - a. For information on receiving email, please advise your correspondents to review the "Inmate Email" link on the Department's website. They will be directed to establish an account with the vendor listed for each facility.
  - b. All emails are subject to review for appropriate content.
11. Detailed information about mail privileges appears in **DC-ADM 803**.

#### **I. Outside Assignments (DC-ADM 805)**

1. You must meet the criteria listed in **DC-ADM 805, "Outside Work and Housing Assignments, Community Work Program, Forestry Units, Armed Mounted Work Detail, Administrative Procedures, and Temporary Hold Ins"** to be eligible for an assignment outside the secure perimeter of the facility.
2. Your participation in an outside assignment, and/or escorted leave is voluntary. Your Counselor can advise you of the assignments available at your facility.

3. If you meet the eligibility criteria in **DC-ADM 805**, you may submit a **DC-135A, Inmate's Request to Staff Member** to your Counselor requesting consideration for outside assignment approval.

#### J. Parole Services

1. In accordance with **18 Pa.C.S. §11.1101**, you must pay a fee to the Crime Victims Compensation Fund (CVCF) prior to your release. You will not be released on parole until you make this payment. For more information you should speak with your Counselor.
2. Representatives of the Pennsylvania Parole Board are located at each facility. Questions or concerns regarding parole should be directed to their attention via a **DC-135A, Inmate's Request to Staff Member**. The names of the local representatives are listed in the Facility Handbook Supplement.

#### K. Recreation and Activities

There are scheduled periods for general indoor recreation and outdoors depending on the weather. Structured activities and sports programs are available at each facility. Information about these activities is posted on the housing unit bulletin boards, contained in the Facility Handbook Supplement, and/or the dedicated cable television system.

#### L. Religious Activities (DC-ADM 819)

1. Religious Preference

An inmate may initially designate his/her religious preference upon intake or may change a religious preference by submitting a Religious Preference Form to his/her Chaplaincy Program Director (CPD). An inmate may change his/her religious preference once every six months.

2. General Information

- a. Each facility provides an interfaith chapel for religious activities and storage of religious materials approved for use in communal gatherings. Chaplains and volunteers for various faiths hold regular Primary Religious Gatherings. Schedules of various religious services and observances will be posted on the bulletin boards and/or the dedicated cable television system.
- b. All chapel activities will be under the supervision of a Chaplain, and/or an authorized faith group leader or approved volunteer, and Security personnel, if necessary.
- c. All chapel activities are scheduled through the CPD and conducted on a regularly scheduled basis, if permitted by the Facility Manager/designee. Where possible, the religious activities of all groups will be scheduled at times consistent with the religious beliefs of the group.
- d. To attend religious services and/or religious classes at your institution, send a **DC-135A, Inmate's Request to Staff Member** to the CPD. Note that some facilities require a call-out for all religious activities.
- e. In an effort to maintain the good order of the facility, inmates may not gather with other inmates for religious purposes outside those activities formally approved and facilitated by the Religious Services Department, unless express written permission is granted by the Facility Manager in consultation with the Religious Services Administrator.
- f. Inmates may only engage in individual devotional practices in the privacy of their cells/dormitory quarters.

- g. Inmates shall not serve as clergy or facilitators of religious groups even if they provide documentation that they are qualified to do so.
- h. An institution can consider accommodating a weekly Modified Religious Gathering for a faith not otherwise accommodated with Primary Religious Gatherings, provided all the conditions of a Primary Religious Gathering are met as noted in **DC-ADM 819**. In addition, the following conditions must be met for a modified group gathering:
  - (1) multiple inmates have submitted a Religious Accommodation Request Form requesting a group accommodation for the respective faith; and
  - (2) the Division of Treatment Services (DTS) has conditionally affirmed accommodating a faith group which lacks an outside volunteer Faith Group Leader with a Modified Religious Gathering.
- i. All inmates guiding Modified Religious Gatherings must meet the same qualifications for inmates who lead Primary Religious Gatherings in the temporary absence of a Faith Group Leader as in **DC-ADM 819**.
- j. A Chaplain or an approved volunteer must be in the immediate physical presence of the religious activity guided by an inmate. Primary and Modified Religious Gatherings guided by inmates, as defined in **DC-ADM 819**, should not extend beyond 60 minutes and should be limited to a maximum of once a week. Inmates shall be selected by the Faith Group Leader, or the CPD (in the absence of a Faith Group Leader) with the written approval of the CPD and written approval of the Facility Manager/designee as outlined in **DC-ADM 819**. Provided direct supervision is available, facilities may permit inmates who identify with a particular faith to communally view or listen to approved religious videos/DVDs/CDs for a one-hour period with a frequency determined by staff. This time may include the reading, reciting, or singing of standard prayers/creeds/texts/ philosophies/anthems/songs from that particular faith group as approved by the CPD in consultation with the Religious Services Administrator.

### 3. Religious Items

- a. Religious articles, headgear, and medallions may be ordered from the Religious Articles Catalog which is available from the CPD. The CPD maintains a list of approved religious items, prices, and vendors from which specific religious items may be ordered. All religious articles in an inmate's possession shall be appropriately recorded on a **DC-153, Personal Property Inventory**. Inmates who would like religious articles added to the Religious Articles Catalog may submit a **Religious Accommodation Request Form** to the CPD for consideration.
- b. Homemade or other unauthorized items are not permitted.
- c. Incense and sacred oils are permitted during religious services only. Any incense or oil found in your possession is considered contraband.

### 4. Religious literature is permitted in accordance with **DC-ADM 803**.

### 5. Accommodations of Religious Beliefs

- a. To request a religious diet (No Animal Products Diet, Kosher Diet, or Nation of Islam/Muhammad Temple of Islam Diet) for religious reasons only, you must submit a Religious Diet Request Form to your CPD.
- b. For other than religious diet requests, you must submit a Religious Accommodation Request Form to the CPD and clearly explain your sincerely held religious beliefs and why such beliefs require an accommodation. It is beneficial to supply written information from an outside faith group, including any publications that support your stated request.

- c. Denied Religious Accommodation and Diet Requests are ineligible for reconsideration for six months after notification of the original denied request.
- d. Religious diets offered in the Department:
  - (1) Alternative Protein Source Entrée (AP)
    - (a) The Alternative Protein (AP) Source Entrée is offered as an option on the Regular Mainline Menu. The AP Entrée does not contain animal flesh or any animal by-products.
    - (b) No **Religious Diet Request Form** is required to receive the AP Entrée.
    - (c) An inmate who resides on a Security Level 5 Housing Unit must sign up to receive the AP Entrée at the time the facility requires a meal choice to be made by submitting a **DC-135A, Inmate's Request to Staff Member** to his/her Unit Manager.
  - (2) No Animal Products Diet (NAPD)
    - (a) The food items on the NAPD are free from all animal flesh and any animal-derived food sources or by-products (e.g., meat, milk, dairy/cheese, egg, fish, or food items containing meat and/or other animal-derived food sources).
    - (b) The items on the NAPD are not kosher.
    - (c) Entrées on the NAPD are the same as the AP Entrées being offered as an option on the Regular Mainline Menu.
    - (d) Soy milk is served at breakfast on the NAPD.
    - (e) Food items such as macaroni salad and potato salad are made with a vinaigrette dressing or served plain on the NAPD, since mayonnaise contains eggs.
    - (f) Most of the desserts on the NAPD are either fresh or canned fruit since a majority of the other desserts, such as ice cream, baked goods, and puddings, contain eggs and/or milk.
  - (3) Kosher Bag Diet Meals
    - (a) The food items served on the Kosher Diet will all be kosher.
    - (b) The Kosher Diet Menu typically consists of the following types of cold food items that are prepared in a kosher fashion or purchased kosher: fresh fruit, raw vegetables, cold cereal, bread, peanut butter, jelly, milk, graham crackers, marinated bean salad, and cottage cheese.
    - (c) During Passover, adjustments to the Kosher Bag Diet Meals are made to accommodate Passover restrictions.
    - (d) Inmates may not take any of the contents of the Kosher Bag Diet Meals back to their cells other than one standard piece of fresh fruit.
  - (4) NOI/MTI Diet (Nation of Islam/Muhammad's Temple of Islam Diet)
    - (a) The food items on the NOI/MTI Diet are based on the book, *How to Eat to Live*, Book I and Book II, by Messenger Elijah Muhammad. The NOI/MTI Diet menu typically consists of the following types of food items: fresh fruits and vegetables, brown rice, plain potatoes, milk, cottage cheese, unbreaded fish, and small navy beans.
    - (b) Medical considers the NOI/MTI Diet to be unhealthy. It can potentially cause the following health issues:
      - i. inability of the body to absorb essential vitamins properly;



- ii. increased “bad” cholesterol levels and/or risk of heart disease;
    - iii. changes in mood and behavior, including depressive symptoms; and
    - iv. mild skin scaling, hair loss, and poor wound healing.
  - (c) Because of potential health issues associated with the NOI/MTI Diet, inmates who are approved by DTS for this diet are **REQUIRED** to meet with a health care practitioner to review the potential health consequences that can result from following this diet and **MUST** sign a **DC-462F, Release from Responsibility for Dietary Deficiencies** (Department policy **13.1.1**) **BEFORE** the diet commences.
  - (d) Failure on the part of the inmate to sign the **DC-462F, Release from Responsibility for Dietary Deficiencies** within 15 working days of the DTS notification will result in the NOI/MTI Diet being formally denied.
  - e. An inmate receiving a religious diet who is transferred to a new facility, who fails to notify the CPD in writing that he/she desires to continue the religious diet, within 30 working days of his/her arrival to his/her new facility, surrenders the religious diet.
  - f. Violation of the terms of an accommodation will be reported to the CCPM and the Religious Services Administrator. If the violations are verified, your accommodation may be revoked. You may also be issued a misconduct.
6. Religious/Spiritual Advisors
- a. You may choose one Religious/Spiritual Advisor to visit you. The facility must first verify that this individual is a bona fide religious leader. No relative, family member, or facility volunteer is permitted to serve as Religious/Spiritual Advisor without the approval of both the CPD and the Facility Manager.
  - b. You may have individual visits with your Religious/Spiritual Advisor. These visits will be handled as outlined in **DC-ADM 812**.
  - c. The Religious/Spiritual Advisor is not permitted to bring the formal book of faith (Bible, Quran, or equivalent) into the visiting room. Books of faith are available in the visiting room.

7. Grief and Individual Counseling

If you are having difficulty coping with news of a death or the illness of a family member, difficulty coping with incarceration, or a personal situation (issues with your children/custody battles/a serious/chronic or terminal illness diagnosis), or are just having trouble adjusting to being incarcerated, Chaplains are available to offer compassionate care. Ask one of them when it would suit to meet with you either verbally or via a **DC-135A, Inmate’s Request to Staff Member**.

**M. Specialized Treatment Programs**

- 1. At the time of classification you may be recommended to participate in various treatment programs. Treatment program recommendations will be determined by your level of risk to re-offend, offense-related history, and treatment needs. You do not need to submit requests to Counselors asking for enrollment in programs. Once your Counselor enters these programs on your **DC-43, Integrated Correctional Plan** you will automatically be placed on the appropriate program waiting list. The Parole Board will review your participation in recommended programs.

2. Priority for placement in treatment programs is based on several factors to include RRRRI cases, SDTP cases, Short-Min cases, and Parole Mandates.
3. Specialized treatment programs focus on individual risks and needs such as drug and alcohol problems, deviant sexual behavior, and/or violent behavior. All programs focus on criminal thinking and behavior and follow a Cognitive Behavioral Therapy (CBT) Method.
4. There are also “optional” programs offered at various institutions such as parenting classes and long-term offender group. Optional programs are also placed on your **DC-43**. Parole does not officially review participation in optional programs.
5. If, at any time, you refuse a program on your Correctional Plan (recommended or optional), you will need to contact your Counselor via request slip, **DC-135A, Inmate’s Request to Staff Member**, to mark “willing to participate” if you change your mind.

#### **N. Telephone Calls (DC-ADM 818)**

Telephones are located in each housing unit. Each facility sets the procedures and the hours that the phones may be used. You will be limited to a specified amount of time. When your time is up, you must hang up the phone and let the next scheduled person use the phone.

1. The phones may only be used to place pre-paid or collect calls to persons listed on your **Inmate Telephone Authorization List (DC-8A)** and to telephone numbers in the North American Calling Plan. For more information, see **DC-ADM 818, “Automated Inmate Telephone System.”**
2. The use of the telephone system is a privilege. Misuse or violations of the rules may lead to your phone privileges being reduced or denied. You could also be prosecuted if you commit a crime using the phone.
3. During emergency conditions, the telephone company may have to temporarily shut down the system. In emergency situations, the facility may limit telephone calls.
4. 15 minute calling blocks are provided. Multiple calls per time block are permitted. Facilities may limit calling frequency below if the number of inmate telephones available does not allow for sufficient calling blocks of time, and for other operational reasons.
5. You are not permitted to make calls to:
  - a. a victim of the crime for which you are incarcerated, unless requested in writing by the victim and approved by the Facility Manager;
  - b. inmates, former inmates, parolees, probationers, or co-defendants, without the written approval of the Facility Manager;
  - c. any employee/former employee of the Department, unless requested in writing by the employee/former employee and approved in writing by the Facility Manager;
  - d. a judge, criminal justice official, prosecutor, or court administrator without his/her prior written approval;
  - e. a minor child, unless approved in writing by the child’s parent or legal guardian;
  - f. a member of the public who requests in writing to have his/her telephone number blocked;
  - g. anyone who has an active PFA against you that prohibits such contact;
  - h. toll-free or emergency number (e.g., 800, 888, 911), with the exception of toll-free numbers for the Pennsylvania Relay Service for TTY/TTD equipment for the hearing impaired;

- i. a local, county, state, or federal correctional facility, or to an inmate housed there without the prior written approval of officials at both facilities;
  - j. three-way calling, call forwarding, and calls through a call forwarding service using a local phone number; and
  - k. calls through multiple long-distance carriers.
6. You are permitted to place a call on the Automated Inmate Telephone System (AITS) within 72 hours of initial reception or recommitment as a parole violator. The call will be limited to 15 minutes.
7. You must make a list of approved telephone numbers as outlined in **DC-ADM 818**.
8. You may place calls when you receive a computer listing of the telephone numbers that have been entered into the AITS under your Inmate Personal Identification Number (IPIN).
9. The IPIN number is your confidential personal property. Loaning, borrowing, or theft of the IPIN is not allowed and will result in a misconduct for any inmates involved.
10. The Facility Manager/designee may authorize the use of the facility owned telephone system, for the following reasons:
  - a. serious illness, hospitalization, or death of an immediate family member;
  - b. contact with an attorney regarding legal matters which, because of an immediate deadline, cannot be handled in person or by correspondence;
  - c. court ordered conversations with the court; and
  - d. extraordinary or unusual circumstances.
11. If the use of the facility owned telephone is approved for a call, you must sign a **DC-138A, Cash Slip** for the charges for the call.
12. In accordance with **18 Pa. C.S. §5701**, all telephone calls are subject to interception, recording, monitoring, and disclosure except those placed to or from an attorney representing you. Attorney telephone numbers must be verifiable and will not be subject to recording or monitoring.
13. Calls placed to cell phones, cordless phones, or phones of inferior quality may be automatically terminated due to static, adverse weather conditions, or weak signals. If this occurs, there will be no reimbursement for the call set-up fee that is incurred when the number is re-dialed. Likewise, if someone at the called number picks up an extension phone, the call may be automatically terminated, and you will not be reimbursed for the call set-up fee that will be incurred when the number is re-dialed.
14. A call on the AITS will be initially announced to the called party as originating from a correctional facility and subject to monitoring and/or recording. Announcements will be made periodically during telephone conversations identifying the call as coming from a state correctional facility and is subject to monitoring and recording. There will be no reimbursement for the time consumed by these recorded announcements.

## O. Transfers

1. Incentive Based Transfers

- a. The following criteria, at a minimum, will be used for processing an inmate for incentive based custody level 2 transfer:
  - (1) the transfer should be closer to your home region (committing county) if sufficient rationale exists; placement outside of home region may be considered;
  - (2) if you are currently in a program that you need to complete, you will not be transferred until you complete the program;
  - (3) the inmate needs to be compliant with his/her **DC-43**, but cannot be currently enrolled in programming;
  - (4) you must not be docketed to see the Parole Board in the next three months;
  - (5) you must be free of Class I misconducts for two years and no more than one Class II misconduct in the past year;
  - (6) you must be in compliance with Department policies **11.6.1, "Sexually Violent Offender Registration,"** and **11.6.2, "Act 57 DNA Data and Testing,"** if applicable;
  - (7) you must have served two years in the Department. To facilitate reentry needs, if you have served less than two years, but are within 18 months of your minimum sentence date, an incentive based transfer may be considered.
- b. If you were transferred for documented disciplinary reasons, you will not be eligible for transfer to your home region for a minimum of five years.
- c. If you are classified as custody level 2, but have been overridden to custody level 3 due to administrative reasons (medical, psychological, or protection) you may be considered for an incentive based transfer.
- d. In addition to the above criteria, the following applies to inmates with a life sentence:
  - (1) a lifer who has served at least seven years in the Department may be eligible for transfer to his/her home region;
  - (2) no Class I misconducts for five years and no more than one Class II misconduct in the past year with overall positive adjustment during seven years of state confinement; and
  - (3) may be a custody level 3.

## 2. Rescinding of Incentive Based Transfers

If you receive an incentive based transfer but fail to maintain the incentive based criteria, you may be transferred away from your home region.

## P. Volunteers and Interns Interacting with Inmates

The DOC utilizes community citizens as volunteers, public visitors, and interns to complement and strengthen DOC programs and to provide inmates with the opportunity to benefit from contact with members of the community.

1. The use of volunteers and interns in the DOC is strictly based on the Department's operational needs as determined solely by the Facility Manager/designee.
2. Inmates are expected to treat volunteers, public visitors, and interns with the utmost respect at all times. Inmates who show disrespect to volunteers, public visitors, and interns or cause distractions during volunteer, public visitor, and intern-led programming will be disciplined and suspended from program participation.
3. Inmates who disrupt any group religious activities or who disrespect those who lead or attend them (e.g., staff, contractors, volunteers, public visitors, interns, guests, inmates, etc.), will be

removed from the religious activity. Disruptive inmates will be disciplined in accordance with **DC-ADM 801**.

4. Several rules should guide your interaction with volunteers. These include:
  - a. volunteers, public visitors, and interns are prohibited from corresponding with, visiting inmates, receiving phone calls from, or placing money in accounts of inmates confined in State Correctional Institutions and the Boot Camp;
  - b. volunteers, public visitors, and interns are prohibited from serving as Religious Advisors in the institution(s) in which they serve as a volunteer, public visitor, or intern;
  - c. volunteers, public visitors, and interns are obligated to inform facility staff if inmates confined in a State Correctional Institution or the Boot Camp attempt to contact them outside the facility;
  - d. volunteers, public visitors, and interns are prohibited from contacting the family members, significant others, or close associates of inmates confined in a State Correctional Institution or the Boot Camp for any reason;
  - e. volunteers, public visitors, and interns are prohibited from assisting inmates with legal matters; and
  - f. Department volunteers and public visitors may assist offenders (any persons under the supervision of probation/parole or who reside in Community Corrections Centers) and ex-offenders (any persons previously released from criminal justice custody who are not currently under the supervision of a law enforcement entity) with community reintegration needs, as long as they are not confined in a State Correctional Institution or the Boot Camp, provided the Department volunteer or public visitor:
    - (1) discloses the name of the inmate(s) and/or reentrant(s) that he/she is assisting with community reintegration needs before he/she begins to relate to this inmate;
    - (2) assumes all risks involved relating to individuals with a criminal history;
    - (3) is aware that if he/she violates professional boundaries in relating to an inmate or a reentrant, as determined by the Department, that he/she will be suspended from service to the Department; and
    - (4) is aware that if an inmate or reentrant is recommitted to a State Correctional Institution or the Boot Camp, the volunteer or public visitor will report this to his/her Volunteer and Internship Coordinator and the privilege of communicating with this individual outside approved programming opportunities available in the institution will cease (i.e., the volunteer or public visitor is not permitted to correspond, visit, receive phone calls from, etc., the inmate or reentrant with whom he/she sought to assist with community reintegration needs).

## **Q. Reentry and Release Planning**

The DOC recognizes that community resources play a critical role in preparing you for transition from prison to home. The DOC believes preparation for your release begins upon the day of your commitment to our institutions, DOC staff, however, are not responsible to provide home plan addresses, this is solely the responsibility of the inmate. Most of you will one day be released and as such should always be preparing for that day. The DOC will attempt to assist you in your preparation to include:

1. comprehensive programming to address your areas of need and reduce the likelihood of your return to prison;
2. access to the SCI Reentry Services Office (RSO) which offers various workshops (includes, but not limited to: Life Skills, Renters Prep, Budgeting and Finance, Digital Literacy,

Employment and Job Search), community providers as guest speakers, resources for county providers, and Living Under Supervision;

3. access to a vast array of community resources in the Reentry section of the facility library which will include a county resource directory for each of the 67 PA counties, the Successful Transitions publication, the VA Handbook, and employment information among other materials;
4. procedures in place for securing several types of appropriate identification for use upon your release to include your birth certificate, a duplicate social security card if you have an established and true social security number, your PA Driver's License renewal, or a Non-Driver PA Photo I.D. Card;
5. prior to release, the institution may provide you with a Universal Serial Bus (USB) flash drive that contains reentry resources such as program certificates, resumes, etc;
6. continuing care arrangements and/or appointments set up in the community for those individuals with severe mental health issues or chronic medical conditions; and
7. the DOC does not provide gate money or a free ride home. For most of you it will be your own responsibility to arrange for transportation on the date of your release. (The appropriate amount for the purchase of a bus ticket to your release destination may be escrowed from your inmate account.) The DOC is also not responsible to transport those of you proceeding to a CCC/CCF. The DOC will transport you only if you are proceeding to a Secure CCC.

#### **IV. Organizations (DC-ADM 822)**

The Facility Manager and the Secretary must approve all inmate organizations. Your Facility Handbook Supplement contains a list of those at your facility.

#### **V. Legal Issues**

##### **A. Alcohol and Other Drug Testing**

You will be subject to random and/or planned alcohol and drug testing. If you test positive for alcohol and/or other drugs, you may be issued a misconduct and your visiting privileges will be restricted to "non-contact" visits for a certain period. Repeated positive tests will result in your contact visits being restricted indefinitely. If visitation is restricted for an indefinite period of time, a drug and alcohol assessment will be completed to identify potential treatment needs and you shall be required to participate in and successfully complete programming to address your need. For more information about visiting restrictions for positive alcohol and other drug tests, refer to the **DC-ADM 801** and **DC-ADM 812**.

##### **B. Criminal Violations (DC-ADM 004)**

1. If any act constituting a crime in Pennsylvania is committed against you by anyone, you may press charges against that individual(s). If such an act occurs, it is your duty to notify the staff so that they may take appropriate action, including those listed in **DC-ADM 004**, "**Criminal Violations.**"
2. Any act that constitutes a crime may also be handled as misconduct. Disciplinary action may be taken in addition to criminal prosecution. Refer to **DC-ADM 004**.

3. All laws of the Commonwealth of Pennsylvania apply to you while you are in the custody of the Department and criminal charges can be filed against you. There are other laws that directly relate to your conduct because of your conviction or incarceration. These include, but are not limited to:
  - a. Escape (**18 Pa.C.S. §5121**);
  - b. Weapon or Implements of Escape (**18 Pa.C.S. §5122**);
  - c. Contraband (**18 Pa.C.S. §5123**);
  - d. Assault by Prisoner (**18 Pa.C.S. §2703**);
  - e. Aggravated Harassment by Prisoner (**18 Pa.C.S. §2703.1**);
  - f. Assault by Life Prisoner (**18 Pa.C.S. §2704**);
  - g. Bribery in Official or Political Matters (**18 Pa.C.S. §4701**);
  - h. Threats and Other Improper Influence in Official and Political Matters (**18 Pa.C.S. §4702**);
  - i. Retaliation for Past Official Action (**18 Pa.C.S. §4703**);
  - j. Riots (**18 Pa.C.S. §5501**);
  - k. Kidnapping (**18 Pa.C.S. §2901**);
  - l. Arson (**18 Pa.C.S. §3301**);
  - m. Criminal Mischief (**18 Pa.C.S. §3304**); and
  - n. Involuntary Deviate Sexual Intercourse (**18 Pa.C.S. §3123**).

### C. DNA Collection

If you have been convicted of a felony, you are required to give a DNA sample. To find out if this applies to you, please consult your Counselor.

### D. Megan's Law Registration

1. If you have been convicted of certain sexual offenses, you are required to register with the Pennsylvania State Police (PSP) upon your release. To find out if this applies to you, please consult your Counselor.
2. If you are already registered with the PSP, you must complete the required change of address worksheet each time you are transferred, as well as the reporting forms sent to you by the PSP. Your Counselor will help with this.

### E. Legal Services (DC-ADM 007)

1. Each facility maintains a Law Library that makes legal reference materials available to all inmates. A list of the legal materials available in the library is outlined in **DC-ADM 007, "Access to Provided Legal Services."**
2. These legal reference materials will be supplemented or replaced according to the schedule established by the publisher and at the direction of the librarian, based upon the facility's specific need.
3. You may request any legal material you believe to be valuable to you in seeking legal remedies, and the librarian, who will consult with the Office of Chief Counsel, will determine whether the material will be purchased.
4. The Facility Handbook Supplement includes the specific hours that the Law Library is open and rules about the Law Library.
5. Each facility provides on-site legal document photocopying services.

6. Most documents submitted to courts do not have to be notarized. If you must have legal documentation notarized, the Notary at the facility will provide the service without charge. A **DC-135A, Inmate's Request to Staff Member** should be used to request Notary Public Services.
7. If you are transferred out-of-state pursuant to an Interstate Corrections Compact and request Pennsylvania legal materials, your request will be referred to the librarian at your last Department facility. That facility will be responsible for copying the requested material and sending it to the librarian at the facility where you are confined. You will be responsible for any copying and postage charges.
8. If you are, or if you become indigent, you may be given a reasonable amount of paper and a pen or the use of a pencil to prepare legal documents. Facility staff may ask questions concerning the work you are doing to determine what materials are necessary.
9. Advance Directive Declaration for Health Care (Living Will).
  - a. You will be asked if you wish to sign an Advance Directive Declaration (Living Will). This document will ensure that your wishes are followed if you become incompetent and in a terminally ill condition or in a state of permanent unconsciousness.
  - b. You may also choose to name someone (a surrogate) to make medical decisions for you if you become incompetent and in a terminal condition or in a state of permanent unconsciousness.
  - c. Staff will explain the declaration form in which you can decide specific forms of treatment that you do not wish to receive, and the surrogate provision where the person you have chosen may make these decisions on your behalf.
10. Request to use name different from commitment name: You must use your committed name for all correspondence, grievances, appeals, etc. An inmate who has made a permanent legal change to his/her name that differs from his/her commitment name, must submit a request to the Facility Manager for permission to use the new name for limited purposes. This request must include the reason(s) why the inmate wishes to use the new name and must include the appropriate documentation to support this request.

#### F. Release of Information (DC-ADM 003)

1. You may request access to information maintained in your file by sending a **DC-135A, Inmate's Request to Staff Member** to the appropriate staff member. **DC-ADM 003** lists the information that is available and the appropriate staff member to ask.
2. Persons other than inmates may request access to inmate information by writing to the Superintendent's Assistant.
3. All requests for information must be accompanied by a **DC-108, Authorization for Release of Information Form** and a **DC-138A, Cash Slip** for any copying charges. You must sign the **DC-108** for the information to be released. The **DC-108** is available in the library.
4. You may not receive information about other inmates.
5. A request for Department information is made by sending a request slip to appropriate Central Office staff. A list of the available information, and the appropriate staff member, is contained in the **DC-ADM 003**.



6. The **U.S. Freedom of Information Act (5 USCS § 552)** is a federal statute that governs access to information maintained by federal agencies. Since the Department is not a federal agency, the Department is not subject to the Freedom of Information Act and it will not provide information pursuant to such requests.
7. The **Pennsylvania Right-to-Know Law (65 P.S. § 67.101 et seq.)** governs access to “public records” of the Department. Right-to-Know Law requests must be sent to the Department’s Open Records Officer in accordance with the procedure contained in the **DC-ADM 003**. Requesters are responsible to pay for the cost of copies, postage, and/or other applicable charges prior to accessing any records which have been granted pursuant to a Right-to-Know Law request.
8. It will be necessary for DOC staff to receive your authorization for release of information when requesting medical or treatment records via an outside agency once you are released to the community. When your authorization has been received at the facility, records of this nature will be sent only to the requesting agency and not to the former inmate. All copying charges are contained in the **DC-ADM 003**.

### **G. Riots, Hostages, and Disruptive Behavior**

1. You may not interfere with an employee in the performance of his/her duties. You may not, either alone or with others, try to escape, riot, or disrupt normal facility routine. You may not detain or hold any person as a hostage. If this happens, there will be no resolution until the facility is brought under control and hostages, if any, are released.
2. Any employee who is taken as a hostage loses his/her rank, identity, and authority as an official while being held as a hostage. Any orders or requests made by such hostage will not be recognized nor acted upon by other staff.
3. During a hostage situation there will be no change in policies of the Department. The standing orders and the duties of all employees not held hostage will remain unchanged. Taking hostages and making threats will not result in your demands being met or your release from custody.
4. There will be no amnesty given. Persons holding hostages will not be excused from prosecution.

### **H. Sentence Calculation Questions**

If you have questions regarding your sentence calculation, you should send a **DC-135A, Inmate’s Request to Staff Member** to the Records Office at the facility. If the response does not answer your question or resolve the issue, you may use the grievance system as outlined in the **DC-ADM 804**.

## **VI. Medical Services**

### **A. Accommodations for Inmates with Disabilities (DC-ADM 006)**

1. Qualified health care personnel will give you a medical, dental, and mental health screening/appraisal, including if you are an intra-system transfer, within 14 days of your commitment.

2. The facility Health Care Department, through qualified personnel or specialists, and in conjunction with you, shall make the diagnosis of a qualified disability, unless previously diagnosed, and shall determine the level of accommodation(s) you may need, and provide the appropriate medical treatment, as required by the condition.
3. In determining the type of auxiliary aid and/or service necessary, consideration will be given to your requests, but your request is not determinative. This information will be recorded in your medical file.
4. In addition to all other factors considered in making facility assignments, consideration may be given to facilities and programming available at various facilities to accommodate your particular qualified disability(s).
5. If you are diagnosed as mentally and/or physically impaired, you may be assigned to a Special Needs Unit, depending on the severity of the disability, and may be assigned to a facility with a Mental Health Unit or a facility where accommodations exist to provide for your mental and/or physical disability.

## **B. Medical Services (DC-ADM 820)**

1. Explanation of the Medical Services Program
  - a. You will be advised of the medical services fees and payment procedures during your intake medical screening.
  - b. You will receive written notice of any changes in medical service fees and payment procedures within 60 days after the effective date of a regulation that modifies the fee for medical services and payment procedures.
  - c. At the time of service, medical staff will inform you whether a fee will be charged for the medical service. A fee will be assessed for any non-emergent medical service provided at your request, when an injury or illness is self-inflicted, when an injury or illness arises from your participation in a sport/approved recreational/religious activity, and for initial medical prescriptions.
  - d. If a fee is to be charged for the medical service, you will be required to sign an authorization form which describes the medical service provided, the amount that will be taken from your inmate account, and authorizes the Department to take the funds. The **DC-138A, Cash Slip**, will be used for this purpose.
  - e. You will not be refused a medical service for financial reasons. If you lack sufficient funds to pay a medical service fee, funds will be taken from your account as soon as sufficient funds are deposited in your account. This will continue until the debt is paid.
  - f. The Department may seek to recover any amount owed for medical services fees by you if you are released.
  - g. You may be charged for the necessary medical services for your actions against another inmate.
  - h. For more information on paying for medical services, and a list of services for which you will or will not be charged a fee, refer to **DC-ADM 820, "Co-Payment for Medical Services."**

### 2. Access to Medical Services

The Facility Handbook Supplement contains Sick Call procedures that ensure you have regular access to the Medical Department. Each facility has procedures ensuring that emergency medical treatment is available at all times.

### 3. Private Medical Services

In accordance with **DC-ADM 820**, the DOC will not charge private medical insurance accounts or Veterans Administration (VA) health care benefits.

### 4. Dental Care Program

- a. Upon admission, you will receive a dental screening. After you are screened or examined, a treatment plan will be written by the dentist. Treatments will be scheduled according to the severity of the observed dental conditions and the facility waitlist.
- b. If you experience dental problems, you may access dental care by submitting a sick call request slip to the Dental Department. If you elect to use the dental sick call system, you will be charged a co-pay fee in accordance with **DC-ADM 820**.

## C. Organ and Body Tissue Donation by Inmates

Pennsylvania strongly supports organ and tissue donation because of its life-saving and life-enhancing opportunities. It saves tens of thousands of lives each year and helps many more recover from trauma, spinal injuries, burns, vision loss, and more.

### 1. Background Information

The Pennsylvania Department of Corrections has collaborated with the Center for Organ Recovery and Education (CORE) and The Gift of Life Donor Program in an effort to promote organ and tissue donation awareness. Donation is strongly encouraged and voluntary. Thousands die every year waiting for a donated organ. When just one person signs up to be an organ and tissue donor, he or she can potentially save up to eight lives through organ donation and enhance the lives of 75 others through tissue donation.

Vascularized Composite Allograft (VCA) is a rare and groundbreaking form of therapy that returns vital function and identity to people who have suffered a devastating injury or illness. The most commonly known types of VCAs are hand and face transplants. By Pennsylvania and Federal law, VCA requires a specific authorization and is never assumed as part of organ, eye, and tissue donor registration.

Documents such as living wills, advance health care directives, and powers of attorney can indicate preferences regarding organ and tissue donation, VCA, and end-of-life care. Some choices for end-of-life care may not be compatible with donation. Physicians, attorneys, and clergy can advise.

### 2. How to Register

Inmates may request information regarding organ and body tissue donation from the facility Medical Department.

### 3. How Donations Work

Doctors and hospital personnel do everything in their power to save the lives of every patient. When a patient has died or is nearing death, hospitals are required by federal law to notify their local organ procurement organization (OPO). The OPO then evaluates the patient to determine if he or she is medically eligible for donation.

If the patient is an eligible donor, the OPO representative will review the state registry to see if the patient is enrolled as a donor. If so, that will serve as legal authorization. If the patient has not registered and there is no other legal authorization for donation, the OPO will seek authorization from the next of kin.

Through the entire donation process, the body is treated with care, respect, and dignity. An open casket funeral is usually possible for organ, eye, and tissue donors, but due to changes in appearance may not be with certain forms of VCA.

## VII. Property (DC-ADM 815)

### A. Basic Issue

1. At the time of reception, specific personal items listed in the **DC-ADM 815, “Personal Property, State Issued Items, and Commissary/Outside Purchases”** may be retained after being examined and screened thoroughly for contraband. Items that you may not retain will be destroyed or sent to a person you designate. Any forms of personal identification will be confiscated and maintained in the facility Business Office until your date of release. You will receive a copy of your property inventory list on a **DC-153, Personal Property Inventory** form for your records.
2. All items issued to you are for your personal use and may only be used by you. Any abuse or misuse of these items may result in a misconduct.

### B. Cell Content Limit

1. While in general population, you are permitted storage space equal to four records center boxes. This space may be made up of four records center boxes or one footlocker and two records center boxes. In cells that have a built-in or freestanding storage cabinet, you are permitted to use that space and either two records center boxes or one footlocker.
2. While in general population and/or DCC status, you are permitted to have the following items in your possession:
  - a. items listed on your **DC-153, Personal Property Inventory**;
  - b. basic issue and state issued clothing items listed in the **DC-ADM 815**;
  - c. commissary items and quantities indicated in the **DC-ADM 815**;
  - d. outside purchase items and the quantities indicated in the **DC-ADM 815**; and
  - e. only your own prescribed self-medication with current treatment dates. Expired medications will be returned to the Medical Department.
3. Exceptions will be made for items issued to you as part of a Department approved treatment, educational, or activities program.

### C. Commissary

1. General Information
  - a. You may order commissary items on a weekly basis. Items such as toilet articles, snacks, etc., are available. There are also several items that may be ordered by outside purchase list through the Business Office.
  - b. You may receive commissary once each week and you will be permitted to spend the maximum dollar amount indicated in the **DC-ADM 815**.

- c. The commissary distribution schedule will be posted on the bulletin board in your housing unit. The schedule is subject to change during holidays, this information will be posted.
- d. You must bring your I.D. card in order to receive your order; a door card is not an acceptable form of I.D.
- e. In order to receive a new razor, you must bring your intact used razor; exchange is one for one only.
- f. Order changes and add-ons will not be permitted. Substitutions will not be made for out of stock items.
- g. You should inspect your order for completeness before signing for the purchase. Discrepancies cannot be honored after you leave the commissary. Refunds are only given for damaged, missing, incorrect items, or discontinued items.
- h. Outside purchases, newspapers, smoking cessation patches, pre-paid telephone calls, and approved organizational ticket purchases are not included in the maximum dollar amount limit. During the holiday period of Thanksgiving through the first week of the New Year, the weekly dollar amount that you may spend may be increased. Holiday food packages, from an approved vendor, are optional at each facility.

## 2. Approved PCI Catalog

A Central Commissary Committee is responsible for maintaining the approved PCI Catalog. A current approved PCI Catalog will be available on the housing units and in the library. The catalogs are updated quarterly.

## D. Contraband

1. You may not have any item in your possession, or under your control, that was not issued to you by the Department, purchased by you through the commissary, and/or otherwise approved for you by the facility.
2. If you become aware of contraband anywhere within the facility or on the grounds, you must report it immediately to a staff member.
3. Contraband includes, but is not limited to:
  - a. weapon, gun, firearm, or ammunition;
  - b. unauthorized explosive, corrosive, or flammable material;
  - c. unauthorized tool, or a tool not under the direct supervision of a staff member;
  - d. cash currency;
  - e. credit/charge card(s) or credit/charge card application forms;
  - f. item(s) not issued through approved channels;
  - g. stamps and pre-paid envelopes sent to the facility from the outside;
  - h. publication(s) that advocate and assist in filing bogus or fraudulent Uniform Commercial Code (UCC) liens;
  - i. forms that may be used in the fraudulent filing of UCC claims and/or publications that promote this practice;
  - j. fraudulent IRS tax returns and/or IRS or state income tax forms that may be used in the fraudulent filing of tax returns;
  - k. items not approved for mail delivery or not approved for a visitor to introduce;
  - l. obscene materials or materials depicting nudity, in accordance with **DC-ADM 803**;
  - m. gang-related materials, literature, photographs, graffiti, etc.;
  - n. civilian clothing and/or non-authorized colored T-shirts;
  - o. property belonging to another inmate;
  - p. implement(s) of escape;

- q. any item used to indicate gang affiliation;
- r. personal items or valuables whose ownership cannot be determined;
- s. three dimensional art objects;
- t. personal property in excess of the allowable limits (items such as televisions, typewriters, radios, jewelry, etc., which are of value must be disposed of in accordance with established state guidelines and procedures);
- u. perishables (excessive amounts), intoxicating beverages, intoxicants, or materials used in fermentation;
- v. expired prescribed medications and non-prescribed medications, expired over-the-counter medications, and prescribed medication removed from its original packaging (blister pack) and not consumed immediately by the inmate;
- w. controlled substances as defined by the **Controlled Substance, Drug, Device and Cosmetics Act, 35 Pa. C.S.A. §780-101 (April 14, 1972, P.L. 233, no. 64) and drug paraphernalia**;
- x. bodily fluids and hazardous wastes;
- y. cell phones, wireless handheld data devices, cameras, DVD players, memory cards, and recording devices of any type;
- z. any article specifically prohibited by state or federal statute, Department policy, or regulation; and
- aa. any item that can reasonably be used to facilitate a crime or misconduct.

#### E. Outside Purchases

1. You are permitted to purchase certain approved items from approved vendors. Only items listed in **DC-ADM 815** may be purchased.
2. Items available in the commissary must be purchased from the commissary. Approved non-consumable items that are not stocked in the commissary may be approved for outside purchase.
3. Religious items are purchased in accordance with **DC-ADM 815** and **DC-ADM 819, "Religious Activities"** and with the permission of the CPD.
4. All purchases must be approved before the item is received by the facility. You must submit a **DC-815A, Outside Purchase Approval Form** to request an outside purchase. All requests for outside purchase must be reviewed by a designated facility official, who may approve or disapprove the request. Approval of the **DC-815A** is conditional. Final approval is made upon inspection when the item is received. You are limited to one outside purchase order per month.
5. You must have the funds to make an outside purchase in your personal account at the time of request. The funds needed for your purchase will be set-aside at the time the order is processed. Credit and layaway purchases are not permitted.
6. All purchases must be sent to the SPC for processing; packages, publications, and otherwise will not be accepted at the local facility mail room.
7. Return of items will be at your expense. Non-returnable items are considered contraband.
8. You must pay all costs associated with outside purchases including taxes, postage, and delivery charges. The facility may refuse to accept any outside purchase item for which postage or any other money is due or for which the request was not properly processed.

9. Only items shipped directly from a permitted vendor to the facility will be accepted and all packages must be addressed to you. The address on the package must contain your committed name, your Department number, and the complete address of the facility in which you are housed. The vendor or store name and return address must be clearly shown on the outside of the package. No handwritten labels, business cards, or store receipts will be accepted. Packages not meeting these requirements will be sent back to the vendor or store as undeliverable and without the facility assuming any responsibility for the package. The facility may decline to accept any package that is not properly addressed.
10. The only exceptions are packages containing personal clothing for parole. These packages must be clearly marked "Parole Clothes" and sent within 30 days of your release date.
11. All packages delivered to the facility will be opened and searched. If contraband is found, the package will be confiscated and it may be returned to the sender or held for evidence. Any money concealed in a package received by the facility is contraband and will be deposited in the IGWF. Promotional gifts received with an outside purchase, which are determined to be contraband, will be mailed home at your expense, or destroyed.
12. Each electronic device will be tested to ensure it works. After the device is tested and you accept it, it will be engraved to mark your name and number. This is to establish ownership during searches and/or if an item is reported stolen. All electronic devices will be searched for contraband and the tops of all screws used in the item will be painted in order to detect tampering.

#### F. Shipping of Personal Property

1. When you are transferred from one facility to another, you will make a personal inventory list and pack all your property in the presence of an officer. Both you and the officer will sign the **DC-153**.
2. No more than two records center boxes and a television box will be shipped with you. A footlocker may be used in place of the two records center boxes.
3. The sending facility will ship permitted excess written materials in remaining boxes by the least expensive common carrier available (U.S. Mail, UPS, etc.) to the receiving facility or to a person you designate at your expense, or the items will be destroyed.
4. If you are approved as indigent, only excess legal papers will be shipped and your account will be charged.
5. At the receiving facility, you will unpack and re-inventory the property in the presence of an officer. Both you and the officer must sign the **DC-153**.
6. In the case of Authorized Temporary Absence (ATA), such as going to court, that is expected to last more than one day, you will be given boxes in which to pack personal property. It is your responsibility to make sure you pack any/all legal materials that you need for court.
7. All personal property will be packed prior to your release and placed in an orderly manner in your cell or stored as directed by the facility. You will be responsible for packing your own items and sealing the boxes with tape. When the boxes are sealed, you should make an appropriate mark of some type, including your full name and number, over the tape so that it can be determined whether the boxes have been opened. A Housing Unit Officer, or other staff member, will issue you a receipt for the number of boxes only, not what is in them. You

will also sign the receipt and the boxes will remain at the facility. If you refuse to sign the appropriate forms, two employees will certify that the inventory is correct. The form will then be marked indicating that you refused to sign it.

8. In cases when you cannot be present during inventory procedures, the Property Officer and another employee will process the property and both will sign the form.
9. An inmate is not permitted to pack another inmate's property. However, a cellmate may be present to identify items in order to determine ownership of unmarked items.

### **G. State Issued Items**

1. The clothing that you are issued must be worn to all work details and to all scheduled facility activities (e.g., school, religious activities, etc.). Sweat clothes (cocoa brown only), T-shirts, and thermal underwear may be worn under state issued clothing.
2. You may wear authorized clothing items (e.g., sweat clothes, T-shirts, shorts, etc.) during unit recreation, in cells, dormitories, in the yard, to the gym, or to other recreational activities for which sportswear is required. Minimum permitted attire will be shorts, T-shirts, undergarments, socks, and approved footwear.
3. If you are assigned to a special work area, you will be provided special clothing or protective equipment (e.g., facemasks, gloves, protective helmet, goggles, fluorescent vest, etc.) as required.
4. Upon your release, if you cannot arrange for personal clothing, the facility will provide you with appropriate clothing.

## **VIII. Rules**

### **A. Administrative Custody Procedures (DC-ADM 802)**

1. Administrative Custody (AC) is a status of confinement that provides the highest level of security and control. If you are placed in this status, you will not have the same privileges as the inmates in general population. An AC inmate who is assigned to a Specialized Housing Unit will have privileges as defined within the Unit's Handbook and according to the program level the inmate has attained.
2. You may be transferred from general population to AC status by order of the Shift Commander for the following reasons:
  - a. you are in danger from person(s) in the facility and you cannot be protected by alternate measures; and/or you are a danger to some person(s) in the facility and the person(s) cannot be protected by alternate measures;
  - b. you are a danger to yourself;
  - c. you are suspected of being involved in or are suspected of being the instigator of a disturbance;
  - d. placement in general population would endanger your safety or welfare when it is not possible to protect you by other means;
  - e. you pose an escape risk in a less secure status;
  - f. you have been charged with, or are under investigation for a violation of facility rules, and there is a need for increased control pending disposition of charges or completion of the investigation;



- g. you have requested and been granted self-confinement;
  - h. you are being held temporarily for another authority and are not classified for the general population of the holding facility; however, a Parole Violator (PV) and temporary transfers from another facility are eligible for release to general population;
  - i. no records and/or essential information are available to determine your custody level or housing needs;
  - j. you are a capital case and have advanced to Phase 2; and/or
  - k. you have completed a DC sanction, but one or more of the above reasons exist, (or the facility has an operational need [e.g. appropriate bed space] to temporarily assign you to AC Status).
3. Whenever practical, you will be given a written notice of the reasons for AC prior to placement, but in all cases within 24 hours after placement. This written notice shall be prepared on a misconduct form **DC-141, Part 1** by indicating "Other."
  4. If you are placed in AC status for a reason other than a pending misconduct charge, the PRC shall conduct a hearing not more than seven working days, excluding weekends and state holidays, after AC placement, and you will be given the reason for your placement. You may waive this hearing at any time prior to the hearing's completion. Any refusal to attend a hearing, if you are able to do so, is a waiver of the proceeding as is disruptive behavior during it. You may not appeal the results of a hearing you refuse to attend.
  5. You will be allowed to respond to the reasons for AC placement. You may tell your version verbally or submit it in writing. A committee member will write down a summary of any relevant verbal statement you make.
  6. You may appeal the decision concerning your initial confinement in AC status in accordance with **DC-ADM 802**. Your right to appeal terminates when you are released from AC status.
  7. If you are placed in AC status as pre-hearing confinement on a misconduct charge, no hearing will be held on the reason(s) for confinement if a hearing on the misconduct charge is held within seven working days, excluding weekends and state holidays, and the misconduct charge is disposed of at the hearing. A request to continue the disciplinary hearing is an automatic waiver of the hearing on the reason(s) for pre-hearing confinement.
  8. Absent the Facility Manager's written extension, confinement in AC status for investigative purposes will not exceed 15 calendar days, in accordance with **DC-ADM 802**.
  9. The Facility Manager/designee or the PRC may release you from AC status to general population at any time during your AC confinement, unless you have been identified as restricted for release. If you have been identified as restricted for release from AC status, the Facility Manager/designee must request the approval of the Secretary/designee in order for you to be released.

## B. General Rules

In addition to the rules mentioned below, there are specific rules of the facility. Those rules are in the **Facility Handbook Supplement**.

1. Staff members will give you directions and/or instructions when needed. All directions and/or instructions are considered orders and must be followed promptly. If you fail to do so, you may be issued a misconduct.

2. If you have received conflicting orders from different staff members, you must follow the last order given.
3. Things may happen that are not covered by specific rules. If this happens you should ask a staff member for help or direction.
4. Tampering with or destroying state property is not permitted.
5. You and other inmates may not congregate, hold any group meetings, or form any organizations without proper approval of the Facility Manager. The facility will make time and space available for approved meetings. No inmates or group of inmates are given authority over another inmate and/or group of inmates.
6. You may not possess or circulate any petitions or place any signs or posters anywhere in the facility.
7. Practicing martial arts such as judo, karate, or other arts of self-defense, and drilling or marching is not permitted.
8. You are expected to approach staff with respect and courtesy. Staff should be addressed by their title (Captain, Doctor, etc.) or by "Mister" and if their last name is known ("Mister Smith," etc.). For women, the appropriate Mrs., Ms., Miss., Ma'am, etc. should be used.
9. The Clean Indoor Air Act prohibits smoking inside public buildings. All Department facilities are now tobacco-free and all tobacco products are considered to be contraband. Electronic cigarettes (E-Cigarettes) are permitted to be consumed at designated areas within the facilities. Proper receptacles for E-Cigarette disposal are located in various locations around each facility. If you are found smoking, using, or in possession of contraband tobacco products within any facility, the contraband tobacco will be confiscated and a misconduct may be issued.

### **C. Housing Unit Rules**

1. The operation of Housing Units varies from facility to facility. Follow the directions given to you by Housing Unit staff.
2. Beds must be made daily and your cell must be clean and orderly.
3. Sheets, a pillowcase, and a blanket are provided and must be used on your bed and not used for any other purpose. Towels are provided for showering and must not be used for any other purpose. Sheets and pillowcases will be changed on the day scheduled for your housing area.
4. Loud talking, whistling, singing, or any other form of noisy behavior is not allowed in the housing area. You may only talk in a low tone with the person in the cell on your immediate right or left or in adjacent bunks. Talking after lights out is not permitted.
5. Passing of items between cells is not permitted.
6. Changes to your cell or living area are not permitted without prior written approval of your Unit Manager.

7. Unless approved, nothing is to be affixed to the bars, vents, windows, beds/bunks, walls, or cell doors. Special areas within each cell or living area may be used for pictures and/or posters, as determined by the facility. Pictures and/or posters displaying nudity are prohibited.
8. You are responsible for the things in your cell or living area; you will be held accountable for any contraband found on your person, among your belongings, or in your cell or living area. Any contraband found in common areas will be considered yours, whether it belongs to you or not. You should check your cell or living area to make sure that no contraband is present. If you find contraband, you should immediately tell a staff member.
9. You are responsible for the personal property in your possession. The facility is not responsible for articles lost, stolen, or damaged, unless the accidental damage is the result of negligent staff actions.
10. You may not enter any cell other than your own, or to allow any other inmate to enter your cell unless he/she is assigned to the same cell.
11. You are responsible for the cleanliness of your cell or living area and you must keep the toilet, washbasin, and all other fixtures neat and clean at all times. If repairs to cell fixtures or equipment are needed, you must report it to a housing unit staff member.
12. Go directly to your cell/bunk when returning to the housing area unless instructed to do otherwise. Loitering on the housing unit is not allowed. When you enter your cell, you are responsible for closing the cell door.
13. You must be completely dressed when out of your cell or living area except for showers. Sweat clothes may be worn to the yard/gym and dayroom.
14. When the signal is given for a count, you must immediately stand by your cell door or bunk, with the light on, so you are clearly visible to the officer taking the count. You must remain silent during count. If it is necessary to take a recount, you must go through the same procedure. When count is completed, you will be notified by an announcement. Counts taken after evening lockup will be silent counts and, except for you being visible to staff, the above does not apply.
15. Earphones must be used with personal radios, televisions, and electronic musical instruments at all times unless otherwise approved by the facility. These items may not be carried from place to place while playing.
16. All trash must be put in the trashcans or containers provided.
17. No pets are allowed, except as permitted for the Prison Pup Program.
18. Shower facilities and clothing are provided for you, and you are expected to maintain acceptable personal hygiene, be neatly dressed, and conscious of your personal hygiene at all times. If personal cleanliness (failure on your part to keep clean) becomes a problem, staff members will notify you and you are required to correct the situation. If you refuse, you may be issued a misconduct.
19. Fire drills are conducted on a regular basis. When a drill is announced, exit the housing unit in a quiet, orderly manner as directed by staff. Failure to participate will result in a misconduct.

20. Tampering with Life Safety devices such as sprinkler heads, smoke and/or heat detectors, pull stations, and associated equipment will be considered a felony and prosecuted as such.
21. Fire load reduction: Combustible materials will be limited to only approved items as outlined in the **DC-ADM 815** and this publication.

#### **D. Misconducts (DC-ADM 801)**

1. If you break a Department or facility rule, you may be issued a misconduct. All rule violations are reported on a **DC-141, Misconduct Report, Part I**. The misconduct report is used to give you notice of the rule violations with which you have been charged and report the facts of the charges. The report will be used as evidence against you during the formal misconduct hearing or informal resolution meeting. A list of the misconduct charges can be found in this handbook.
2. In the case of a formal misconduct, you will be given a copy of the **DC-141** the same day as it is written. If you are not given a copy the same day the report is written, the Shift Commander/designee must determine why the report was not given to you and indicate the reason on the misconduct report.
3. If the misconduct charge is of a serious nature, the Shift Commander may place you in pre-hearing confinement in the Restricted Housing Unit (RHU) until you have a hearing. If you are placed in pre-hearing confinement, the Facility Manager/designee will review your placement within 72 hours.
4. Misconducts are disposed of by either an informal resolution meeting with your Unit Manager or a formal hearing conducted by the Hearing Examiner. The misconduct charges eligible for informal resolutions are Class I charges #35 through #46, and all Class II charges. If the inmate is a Youthful Offender (under the age of 18) or carried on the active MH/ID Roster and the misconduct is non-violent in nature (i.e., misconduct charges #26 to #53), the Shift Commander will refer the misconduct for informal resolution absent any extraordinary circumstances.
5. For an informal resolution, the Unit Manager/designee and at least one other member of the Unit Management Team will meet with you for disposition of the charges within seven working days, excluding weekends and state holidays. The reporting staff member is not required to attend the meeting.
6. If you refuse to attend the informal resolution meeting, the Unit Manager will return the misconduct report to the Shift Commander and it will be forwarded to a Hearing Examiner for a formal hearing. If the misconduct report is handled formally, a Hearing Examiner will conduct the hearing.
7. You are expected to attend the misconduct hearing. If you refuse to attend, you will be asked to sign a waiver advising you that you have a right to a hearing but you may waive that right. If you refuse to attend the hearing or sign a waiver, two staff members who witness the refusal will sign the waiver form and the hearing will be held without your presence. The Hearing Examiner will determine guilt or innocence, and a sanction will be imposed if you are found guilty. You may not appeal the results of a hearing you refuse to attend.
8. If you become disruptive at the hearing or refuse to follow the instructions given by the Hearing Examiner, you will be removed and the hearing will be conducted without you being present.

9. In cases when it is apparent that you are unable to collect and present evidence effectively on your own behalf, assistance will be permitted. You must be unable to understand the English language or be unable to read or understand the charges and/or the evidence to have assistance.
10. If in the opinion of the Hearing Examiner, you are unable to participate in a hearing, the Hearing Examiner will postpone the hearing until you are able to participate. The decision to postpone a hearing for one of these reasons will be in writing and will be made at the time the hearing would have been held.
11. An inmate with a serious mental illness (SMI) may be assisted in preparing for a misconduct hearing by a Certified Peer Specialist as part of the Certified Peer Specialist's duties. The assigned Certified Peer Specialist will have no connection with the underlying facts of the misconduct and cannot be called as a witness in the underlying case.
12. In misconducts involving financial loss or cost because of your behavior, the Hearing Examiner may impose costs against you for replacement or repair of items.
13. The Hearing Examiner may dismiss any misconduct charge without prejudice, to permit recharge without deciding if you are guilty or innocent.
14. If you are found guilty of a drug-related misconduct, the Hearing Examiner will complete a **Drug-Related Misconduct Form** and give you a copy. This form will serve as your notice that you were found guilty of a misconduct for dealing, possessing, or using (including by urinalysis or refusal to submit to urinalysis) illegal drugs, non-prescribed drugs, controlled substances and/or drug paraphernalia and that you will be prohibited from having contact visits for the period specified below commencing from the date that the non-contact visitation order and misconduct was served to you in accordance with **Section 1 of the DC-ADM 801," Inmate Discipline.**" Drug-related misconducts include dealing, using (including positive drug test results or refusal to submit to drug testing) or possessing illegal or non-prescribed drugs and/or drug paraphernalia. The Drug-Related Misconduct Form will not be submitted for those misconducts involving the possession or use of intoxicating beverages. In addition, any case where an inmate is found guilty of a drug-related misconduct will be immediately referred to Substance Use Disorder (SUD) treatment.
  - 1<sup>st</sup> offense – 180 days
  - 2<sup>nd</sup> offense – one year
  - 3<sup>rd</sup> offense – indefinitely
15. If your contact visits are prohibited indefinitely because of drug-related misconducts, you must wait three years and complete SUD Treatment programming before you can ask the Facility Manager to permit contact visits again and they may not be reinstated unless approved by the Regional Deputy Secretary.
16. The Hearing Examiner may reduce the classification of any Class I misconduct (except charges #1 through #15) to a Class II misconduct. If you are found guilty of Class II misconduct charges, you may be subject to one or more sanctions except placement in disciplinary status.

### Misconduct Charges

A. Class I Charges (Formal Resolution Only)	
1. Assault	24. Extortion or blackmail
2. Murder	25. Sexual Harassment
3. Rape	26. Any criminal violation of the Pennsylvania Crimes Code not set forth above (must be specified)
4. Arson	27. Tattooing
5. Riot	28. Indecent exposure
6. Escape	29. Engaging in, or encouraging unauthorized group activity
7. Robbery	30. Breaking restriction, quarantine, or informal resolution sanction
8. Burglary	31. Gambling or conducting a gambling operation or possession of gambling paraphernalia
9. Kidnapping	32. Possession or circulation of a petition, which is a document signed by two or more persons or a mass-produced document sent from an outside source that seeks the signature of one or more inmates and in either case, requests or demands that something happen or not happen, without the authorization of the Facility Manager
10. Unlawful Restraint	
11. Aggravated Assault	33. Using abusive, obscene, or inappropriate language to or about an employee
12. Voluntary Manslaughter	34. Violations of conditions of SDTP
13. Extortion by threat or violence	
14. Involuntary Deviate Sexual Intercourse	
15. Threatening an employee or his/her family with bodily harm	
16. Fighting	
17. Threatening another person	
18. Threatening, harassing, or interfering with a Department K-9 or mounted patrol horse	
19. Engaging in sexual acts with others or sodomy	
20. Wearing a disguise or mask	
21. Failure to report an arrest for any violation of the Pennsylvania Crimes Code (CCC only)	
22. Possession or use of a Dangerous or Controlled Substance	
23. Possession or use of intoxicating beverages	

**B. Class I Charges (Eligible for Informal Resolution)**

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>35. Refusing to obey an order</li> <li>36. Possession of contraband including money, implements of escape, non-prescribed drugs (or drugs which are prescribed, but which the inmate is not authorized to possess), drug paraphernalia, poisons, intoxicants, materials used for fermentation, property of another, weapons or other items which in the hands of an inmate present a threat to the inmate, others, or the security of the facility</li> <li>37. Violation of visiting regulations</li> <li>38. Destroying, altering, tampering with or damaging property</li> </ul> | <ul style="list-style-type: none"> <li>39. Refusing to work, attend school or attend mandatory programs or encouraging others to do the same</li> <li>40. Unauthorized use of the mail, kiosk, or telephone</li> <li>41. Failure to stand count or interference with count</li> <li>42. Lying to an employee</li> <li>43. Presence in an unauthorized area</li> <li>44. Loaning or borrowing property</li> <li>45. Failure to report the presence of contraband</li> <li>46. Theft of services (i.e., cable TV or other facility services)</li> </ul> |
|--|---|

If you are charged under Section B. with possession of an item of contraband which is a weapon or an item which in your hands presents a threat to others or to the security of the facility, and the item also has a legitimate use in the area discovered, credible evidence that the item has been used only for the legitimate purpose may reduce the rule violation to a Class II. Possession of drugs (as determined by laboratory analysis), alcohol, poisons, and/or weapons are not eligible for informal resolution. Large quantities of tobacco products determined to be a threat to the security of the facility may be charged under this section. Otherwise, contraband tobacco will fall under **Section C. Class II #50** charge below.

**C. Class II Charges (Eligible for Informal Resolution)**

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>47. Body punching or horseplay</li> <li>48. Taking unauthorized food from the dining room or kitchen</li> <li>49. Failure to report or unexcused absence from work, school, or mandatory programs</li> <li>50. Smoking where prohibited or possession of any tobacco products</li> </ul> | <ul style="list-style-type: none"> <li>51. Possession of any items not authorized for retention or receipt by the inmate not specifically enumerated as Class I contraband</li> <li>52. Any violation of a rule or regulation in the Inmate Handbook not specified as a Class I misconduct</li> <li>53. Kissing or inappropriate physical contact</li> </ul> |
|---|--|

Any attempt to commit any of the above listed charges is a misconduct of the same classification as the completed act.

**Misconduct Procedures**

- 1. Misconduct written by staff member.
- 2. Misconduct is given to the inmate on the day it is written.
- 3. **DC-141, Part 2(A), Inmate Request for Representation and Witnesses** to be submitted by 9:00 am the day after the misconduct is served.
- 4. **DC-141, Part 2(C), Hearing Supplement, Inmate Version, and Witness Statement** may be submitted at the misconduct hearing.

**Informal Resolution Meeting**

- 1. Meeting is held within seven working days of the misconduct being served.
- 2. Meeting is conducted by the Unit Manager/designee and at least one other Unit Management Team member.
- 3. Assistance or witnesses are not permitted.

**Informal Sanctions**

- 1. No action;
- 2. Reprimand and/or warning;
- 3. Refer to Hearing Examiner for a formal misconduct hearing;
- 4. Up to 14 days cell restriction;
- 5. Up to 14 days loss of specific privileges (e.g., telephone, tablet/kiosk access, yard, day room, etc.);
- 6. 14 days loss of commissary;
- 7. Loss of job for work-related misconducts;
- 8. Assignment of additional work duties for which you will not be paid, for up to 14 days; and/or payment for damaged/destroyed state property for which you agree to pay. If you do not agree, the matter will be forwarded for a formal hearing; and/or
- 9. Inmates carried on the active MH/ID Roster may be assigned to the Residential Treatment Unit (RTU) or other appropriate treatment/program after consultation with the PRC.

**Formal Hearing**

- 1. Hearing will be scheduled no less than 24 hours or no more than seven working days, excluding weekends and state holidays, after notice of the misconduct is served.

2. Conducted by a Hearing Examiner.
3. Assistance or witnesses permitted as approved by the Hearing Examiner.

**Misconduct Sanctions**

If found not guilty, this will be recorded in writing and you will be given a copy. No reason is required for a not guilty decision. Any record of the misconduct will be removed from your record and kept in a separate file until you are released or transferred. If you are found guilty, the sanction indicated below may be imposed:

1. placement in the RHU for a period not to exceed 90 days per misconduct charge;
2. assignment to cell restriction for a period not to exceed 30 days per misconduct charge. Cell restriction is total confinement to general population cell, dorm area or cubicle, except for meals, showers, **visits**, one formal religious service per week, loss of tablet, commissary, law library, and one hour of specified daily exercise period. Participation in school and programs is permitted for Class II misconducts only;
3. loss of privileges for a prescribed period. Privileges lost must be specifically identified and shall, where possible, be related to the misconduct violation. Privileges include television, radio and/or tablet and kiosk access, telephone, and commissary for up to 180 days, visiting suspension or restriction for up to 60 days, yard, and block out;
4. may be, and most likely shall be, removed from his/her job assignment (for a guilty finding of misconduct charges #1 - #33);
5. assessment of costs as a result of your behavior
6. reprimand, warning, counseling;
7. final disposition of confiscated contraband;
8. revocation of outside program codes;
9. limitation of commissary privileges excluding television, tablet, radio, and phone cards to 15 dollars a week for up to one year following a finding of guilt for a misconduct involving gambling; and/or
10. youthful offenders (under the age of 18) and inmates who are seriously mentally ill (SMI) will serve DC assignments while being housed on Diversionary Treatment Units (DTUs).

**Misconduct Appeal Process**

Informal Charges	Formal Charges
<p>Only in those cases that the sanction is disproportionate to the offense. No appeals are permitted from a finding of not guilty.</p>	<p>The procedures were contrary to law, Department policies, or regulations; The punishment is disproportionate to the offense; and/or The findings of fact were insufficient to support the decision. No appeals are permitted from a finding of not guilty.</p>

**First Level of Appeal – Program Review Committee (PRC)**

1. The appeal to the PRC must be submitted within 15 calendar days of the informal meeting or misconduct hearing.
2. All appeals must be written on a **DC-141, Part 2(E)** form and must be signed.
3. PRC shall discuss pending misconducts/appeals with inmates who are designated as SMI. For inmates who desire to pursue an appeal of a misconduct at any level, PRC shall direct that a Certified Peer Specialist be assigned to assist the inmate in filing the appeal. Assistance shall consist of:
  - a. meeting with the inmate and ensuring that the inmate has obtained the correct documents, policies, copies, and forms to file the appeal;
  - b. that the inmate has access to the **DC-ADM 801** policy and understands procedure and requirements for completing appeal forms;
  - c. assistance in preparing documents that are stylistically and grammatically suitable for submission;
  - d. that the inmate understands who/where the appeal is to be submitted;
  - e. that the inmate understands the deadline for filing of the appeal; and
  - f. assistance will not include providing legal advice or representation. The assigned Certified Peer Specialist will have no connection with the underlying facts of the misconduct and cannot have been a witness in the underlying case.
4. The PRC may:
  - a. reject any appeal that does not conform to the procedures outlined above;
  - b. uphold the Hearing Examiner’s or Unit Management Team’s decision;
  - c. uphold the finding of guilt, but modify the punishment;
  - d. vacate the decision and remand back to the Hearing Examiner for a rehearing;
  - e. vacate the decision and charge to permit recharge and rehearing; and
  - f. dismiss the charge and prohibit recharge.



5. A written statement of the PRC decision is given within seven working days.

#### **Second Level of Appeal (Facility Manager)**

1. The appeal to the Facility Manager must be submitted within seven calendar days of the receipt of the PRC's decision.
2. All appeals must be in writing on a **DC-141, Part 2(E)**.
3. Only one appeal to the Facility Manager is permitted for each misconduct report.
4. A written statement of the Facility Manager's decision will be given within seven working days of receipt of the appeal.
5. The Facility Manager may take any of the same actions as PRC.

#### **Final Appeal (Office of Chief Hearing Examiner)**

1. You may appeal the decision of the Facility Manager within seven calendar days of the receipt of the Facility Manager's decision.
2. All final appeals must be in writing on a **DC-141, Part 2(E)**.
3. All final appeals of misconducts shall be addressed to the Chief Hearing Examiner:
 

Office of Chief Hearing Examiner  
1920 Technology Parkway  
Mechanicsburg, PA 17050-8028
4. Appeals that are addressed to the Secretary, Chief Counsel, or to other Central Office Staff, are delivered to these individuals first, and then referred to the Office of the Chief Hearing Examiner. Improperly addressed appeals may cause a delay in the response at final appeal.
5. When appealing to final review of your misconduct, you are responsible for providing the Chief Hearing Examiner's Office with a brief statement relative to issues and any available paperwork or documentation relevant to the appeal. A proper appeal for final review should include photocopies of the Misconduct Report, Hearing Examiner's Report, and Inmate Version and Witness Forms (if applicable), Appeal to PRC, PRC Response, Appeal to the Facility Manager, and the Facility Manager's response. The Chief Hearing Examiner's Office will not return nor furnish copies of any of the materials sent to the office for final review.
6. The Chief Hearing Examiner will review and respond to all misconduct appeals to final review within seven working days of receipt of all necessary records. The Chief Hearing Examiner will review the misconduct, the hearing report, all appeals, and the issue that was raised to final appeal.
7. Upon completion of final review, the Chief Hearing Examiner will respond directly to you in all cases where the position taken by the facility is upheld.
8. In all cases where the action of the Hearing Examiner, PRC, or the Facility Manager is reversed or amended, or where a matter is Remanded, the Chief Hearing Examiner's Office shall prepare a letter to you and a memo to the Facility Manager. The Chief Hearing Examiner will forward the letter and memo to the appropriate Regional Deputy Secretary for review and signature.

## **IX. Use of Force (DC-ADM 201)**

1. Staff may not use force to punish you or for revenge. Staff may use force against you if they believe that they need to for one of these reasons:
  - a. to protect themselves or others;
  - b. to protect property from damage;
  - c. to prevent an escape;
  - d. to recapture an escapee (when in immediate pursuit);
  - e. to prevent a crime;
  - f. to make you comply with rules or orders when other methods of control are not working; and/or
  - g. to prevent you from harming yourself or others.
2. Staff must use the least amount of force they believe is needed for one of the above reasons. Staff must stop using force when it is no longer needed.

3. Staff may only use deadly force against you when they cannot control you with less force AND they need to use deadly force for one of these reasons:
  - a. to prevent death or serious bodily harm to themselves or others;
  - b. to protect property from damage or destruction only if such damage or destruction could cause serious bodily harm to themselves or others; and/or
  - c. to prevent escape or while in immediate pursuit of an inmate who is escaping.
4. If force is used, it will be reported, documented, and reviewed. A planned use of force will be videotaped.

## **X. Visiting (DC-ADM 812)**

### **A. Private Viewing/Deathbed Visits**

1. If an immediate family member (spouse, children, parents, grandparents, brothers, sisters, aunts, uncles, or step-relative) passes away, or when his/her death is imminent, you may be eligible for permission to **virtually attend** a private viewing or deathbed visit with the individual. If this situation occurs, you should talk to your Counselor about requesting such a visit.
2. Virtual attendance may be scheduled outside of the designated video visitation hours.

### **B. News Media Relations (DC-ADM 009)**

1. If you wish to meet with a news media representative in person, you must request that the individual's name be on your approved visiting list in accordance with the **DC-ADM 812**.
2. If you wish to talk with a news media representative over the telephone, you must request that the individual's name be added to your approved telephone list, in accordance with the **DC-ADM 818**.
3. You may not be disciplined for participating in a media-related visit or telephone call.
4. You may not be compensated, or paid, for participating in a media-related visit or telephone call.
5. The news media representative is permitted the same visiting and telephone access to inmates as the public. Therefore, no special arrangements will be made for the news media. All communications between you and the news media shall be conducted in accordance with the **DC-ADM 812** and **DC-ADM 818**.
6. There are times when DOC staff will permit media access to programs and inmates in those programs. During those types of media access, inmates in those programs will be required to sign a waiver prior to speaking with the media.

### **C. Visiting Privileges (DC-ADM 812)**

1. Approved Visitors List

You will be asked to make a list of visitors during your initial classification period. Your authorized visitors list may contain up to 50 names. Changes to the approved list may be made using a **DC-312A, Supplementary Authorized Visitors Form**. All visitors on your list

are subject to approval. You must give all the information asked for on the **DC-311A, Authorized Visitors List**, and the **DC-312A** forms for a visitor to be approved. You must give the visitor's name, address, date of birth, and relationship to you. If any of this information is not given, the visitor will not be approved. The Facility Manager may remove the name of any visitor from your list. This information is also used to validate a visitor when he/she registers in the inmate visitation system; therefore, the information provided must be correct. Incorrect information may delay a visitor from being able to schedule visits.

## 2. Visiting Rules

- a. All adult visitors must register on the Department's Inmate Visitation System (<https://inmatevisitation.cor.pa.gov/>) to schedule and manage visits. Each visitor should have only one registered account. Minors should not have a registered account. Minors should be added to the visiting group of the adult with the approved **DC-313, Visitor Inquiry** on file.
- b. All visits shall be scheduled in advance (in-person and video). The number of days required in advance shall be determined by the Department. Automatic email notifications will be sent to a visitor's registered account for visits scheduled or modifications to a visit. Visitors may also cancel visits within the inmate visitation system.
- c. The Facility Manager/designee may approve an unscheduled visit when extenuating circumstances exist.
- d. The recording, uploading, sharing, or otherwise distributing a video visit is not authorized. Three-way or other multi-party calls during video visits are prohibited. Failing to adhere to these requirements may result in the suspension or indefinite ban of the visitor.
- e. An inmate in general population will be permitted to have visits in accordance with the visiting hours established by the facility. Visiting may be permitted every day of the year unless suspended by the Facility Manager.
- f. An inmate in general population may have up to six video visits and four in-person visits per month. These quotas are subject to change based on operational needs. The frequency of the visits will be based on available time slots and inmate's housing status.
- g. Only attorneys and Religious Advisors on your approved visiting list can visit you during the first ten days following commitment to the DCC.
- h. In-person visits will be available for at least one hour in duration and shall occur during regularly scheduled visiting hours. Longer periods may be permitted depending upon your custody level and available space. Video visits are 45 minutes in duration and shall occur during the facility's video visiting hours.
- i. The number of visitors you may have during in-person visits is four. If the visiting area is full, and more visits are to be conducted, visits will be ended on a "first in/first out" basis, if the visit has been at least one hour.
- j. The maximum number of visitors permitted to participate in a video visit is six. All participating visitors must be on the inmate's **DC-311A, Authorized Visitors List** and scheduled to participate in the visit; this includes minors.
- k. If a minor child comes to visit you, a parent/legal guardian, County Children/Youth Services agency staff, or an adult approved by the parent/legal guardian must be with the child. This applies to both in-person and video visits.
- l. Unless the Facility Manager/designee grants special permission, no person may be on more than one inmate's visiting list at any one facility except in cases where the person is part of the immediate family of more than one inmate. A visitor may be granted visiting privileges at more than one facility.
- m. Your visitor's privileges may be limited, suspended, or restricted (such as non-contact visits only, video visits only, or a restriction on visiting at more than one facility) if information becomes available suggesting that allowing the individual to visit poses a threat to the safety and security of any Department facility.

- n. When you have a visit, you must wear underwear, and for in-person visits, you will be supplied clothes and shoes. If you report to the visiting changing area and you are not wearing underwear (under shorts for males, under shorts and bra for females), your visit will be denied.
- o. You must be properly dressed in a state issued brown shirt and brown pants during a video visit.
- p. The same dress code guidelines apply to your visitors during a video visit as an in-person visit. If any of your visitors are not properly dressed, the video visit will be terminated.

### 3. Visitor Identification and Registration

Your visitors must have proper identification when they come to visit you. If one of your visitors cannot produce proper identification, he/she will not be able to visit you unless the Facility Manager/designee approves the visit. If one of your visitors uses false I.D., he/she will be suspended/banned from the facility for a period of time to be determined by the Facility Manager. Your visitors are required to sign in and out of the facility.

### 4. Inmate – Visitor Physical Contact

- a. You and your visitors may exchange a brief kiss and embrace only when meeting at the beginning of a visit and at the end of the visit when your visitors are leaving.
- b. Visitor physical contact may be limited by the Secretary in an effort to mitigate risks associated with a pandemic, etc.
- c. If the Visiting Room Officer has concerns regarding your or your visitor's behavior, the Visiting Room Officer will direct you and your visitor to separate.
- d. You may only hold small children five years of age or less on your lap. The Visiting Room Officer will closely watch when you are holding a small child or when a small child is sitting on your lap. If the officer has any concern regarding the size/age of a child, the amount of time you have held the child or let the child sit on your lap, or how you are handling the child, the Visiting Room Officer will intervene.
- e. If you break the visiting room rules you risk both your visiting privileges and those of the visitor. Serious or repeated violations of these rules may result in a misconduct and/or ban of contact visits.

### 5. Special Inquiries

- a. The Department will notify the parent or legal guardian of a minor child, including a child of yours, if you request to add the minor child to your **DC-311A**. The child's parent or legal guardian must indicate, in writing, that he/she approves or objects to the minor visiting you. If no response is received, the request will be denied.
- b. If you are, or were previously convicted or adjudicated for an offense resulting from any physical or sexual abuse of a minor, it is required that the parent or legal guardian of a minor child, including your child, be told of all charges that resulted from any physical or sexual abuse of a minor. This is also required for cases in which the initial charge(s) was reduced to a lesser charge if a review of the facts of the crime indicates that the offense did involve any physical or sexual abuse of a minor. The parent or legal guardian must indicate in writing that he/she is aware of the charges against you, that he/she approves or objects to the minor visiting you, and whether the minor was or was not your victim. If no response is received, the request for approval of the minor as a visitor will be denied.
- c. If you, as an adult or as a young adult offender, were ever convicted or adjudicated for a physical or sexual offense against a minor, you are prohibited from having a contact visit with any minor child. The Facility Manager may grant contact visits for you for special circumstances.

## 6. Administrative/Disciplinary Custody Status Inmates

An inmate in Administrative/Disciplinary Custody shall be governed by Department policies **DC-ADM 801, "Inmate Discipline,"** and **6.5.1, "Administration of Security Level 5 Housing Units."** An RHU inmate will be restricted to video visits only during weekdays (excluding holidays) only. An inmate in a specialized program shall be governed by the program phases.

## 7. Religious Advisor

- a. Your Religious Advisor will not be counted against the total of 50 visitors you may have, and visits of this type will not be counted as a regular visit. The length and number of visits for Religious Advisors may be limited depending upon available space.
- b. There may be no group meeting in the visiting room unless the Facility Manager grants special permission.
- c. A Religious Advisor may also participate in video visits.

## 8. Attorneys

- a. Your attorney will not be counted against the total of 50 visitors, and visits of this type will not be counted as regular visits.
- b. The confidentiality of the attorney/client relationship will be honored. Personnel will not be stationed in such a manner as to be able to overhear normal conversation.
- c. Your attorney may allow persons, such as law students, paralegals, or investigators to visit you to act as his/her agent. Each person must present a written statement signed by the attorney on the firm's letterhead identifying each person as the attorney's agent and attesting that the visit is for the purpose of legal consultation. Attorneys and their agents are subject to the same rules as other visitors.
- d. You are not permitted to take any legal materials into or from the visiting room without the prior approval of the Facility Manager/designee. If approved, the legal materials will be inspected and accounted for both upon entering and exiting the Visiting Room by the staff assigned to that area.
- e. Attorneys may also participate in video visits and such visits are not recorded.

## 9. Prohibited Visitors

- a. You may not have visits with the following people without approval from the Facility Manager:
  - (1) a former inmate of any correctional system;
  - (2) a person who is currently under parole or probation supervision;
  - (3) a Department employee;
  - (4) a former Department employee;
  - (5) a currently active volunteer for the Department;
  - (6) a current or former contract employee;
  - (7) a victim of the inmate; or
  - (8) anyone who has an active PFA against you that prohibits such contact.
- b. To ask for special permission you must send a request to your Counselor and list the visitor by name, relationship, and his/her status (current inmate, former inmate, parolee, employee, etc.).

## 10. Security

- a. If it is determined that a visit is or could be a threat to the security and orderly running of the facility, the visit may be terminated or denied.
- b. All photos taken must leave the facility with the visitor.
- c. Separate areas will be provided where you will be searched and your state issued clothing and footwear exchanged for visiting room clothing and footwear. The reverse procedure will be followed after the visit. The facility will ensure that all visiting room clothing is washed before reissue and that all footwear is either laundered or a disinfectant spray used before reissue.
- d. You and your visitors are subject to search before, during, and after visiting. If you or any of your visitors refuse to be searched, you or your visitor will not be allowed any visits until approved by the Facility Manager.
- e. Each of your visitors, with the exception of those needing medically required ambulatory assistance devices (e.g., wheel chair, walkers, canes, crutches, etc.), is required to successfully pass through a metal detector as part of the visiting process. If a visitor uses an ambulatory device, he/she will be searched with a handheld metal detector. If he/she fails to pass through the metal detector, or fails the handheld search, the visit will be denied. The only exception is in the case of a metal implant. In this case, a doctor's certificate verifying the implant is required and the visitor will be scanned with a handheld metal detector.
- f. Your visitors will be permitted to take medically required ambulatory assistance devices (e.g., wheel chair, walkers, canes, crutches, etc.) into the visiting area. You are prohibited from handling any of these articles in the visiting area.
- g. Your visitors will be randomly selected for scanning by the Electronic Drug Detection Officers. Electronic Drug Detection scans may also be done based upon reasonable suspicion or other security information.
- h. If contraband is detected during the Electronic Drug Detection scan, the visitor will be given the option of removing an article(s) of outer clothing believed to be contaminated and washing his/her hands. If the visitor opts to remove the article(s) of outer clothing believed to be contaminated and washes his/her hands, a second test will be performed. If the visitor chooses not to remove the clothing article(s) and wash his/her hands, the visitor shall be denied access to the facility. If the results of the second test are positive, the visitor shall be offered a non-contact visit unless extenuating circumstances exist. The Facility Manager will be notified in writing of all contraband finds and denied visits.

#### 11. Suspension, Termination, or Restriction of Visiting Privileges

- a. A suspension may include video visits only, contact visits only, or both video and contact visits. A suspension may be issued for a violation of the visiting rules or failure to cooperate, or pass, the facility's security screenings.

##### Visitor Restriction and/or Suspension

- (1) Your visits may be suspended, terminated, or restricted to maintain the security or orderly running of the visiting room and/or the facility. For instances where a suspension is implemented, the below will be used:
  - (a) First occasion, visiting privileges may be suspended for up to 90 days.
  - (b) Second occasion, visiting privileges may be suspended for up to 180 days.
  - (c) Third occasion (if within one year of the privileges being reinstated for the second occasion), visiting privileges may be suspended for one year.
  - (d) Fourth occasion (if within one year of the privileges being reinstated for the third occasion), privileges will be suspended indefinitely.

- (2) The Facility Manager shall notify the visitor in writing of the suspension within 30 days.
- (3) Any visitor whose visiting privileges have been suspended has 30 days from the postmark of the suspension letter to appeal the decision in writing to Central Office.
- (4) The above timelines are not applicable to any visitor who attempts to bring or who brings drugs on the grounds of any Department facility, as the visitor will be permanently banned from visiting all Department facilities and the matter shall be referred to the Pennsylvania State Police for prosecution.

#### Inmate Restriction and/or Suspensions

- (1) The Hearing Examiner may impose a disciplinary sanction suspending or restricting your visiting privileges for a violation of the visiting room rules and regulations. All imposed sanctions shall be in accordance with **DC-ADM 801**.
- (2) If you are found guilty of a misconduct for dealing, using (including positive drug test results or refusal to submit to drug testing), or possessing illegal, non-prescribed drugs, controlled substances, and/or drug paraphernalia, you will be prohibited from having contact visits as follows:

**1st offense – 180 days**

**2nd offense – one year**

**3rd offense – indefinitely**

- (3) Your visits may be suspended, terminated, or restricted to maintain the security or orderly running of the visiting room and/or the facility. For instances where a suspension is implemented, the below will be used:
  - (a) First occasion, visiting privileges may be suspended for up to 90 days.
  - (b) Second occasion, visiting privileges may be suspended for up to 180 days.
  - (c) Third occasion (if within one year of the privileges being reinstated for the second occasion), visiting privileges may be suspended for one year.
  - (d) Fourth occasion (if within one year of the privileges being reinstated for the third occasion), privileges will be suspended indefinitely.
- b. Except for drug use, restriction of visiting privileges will not be used as a disciplinary measure for unrelated facility rule infractions. However, your visiting privileges may be restricted as a result of changes in housing or custody level made as a result of unrelated infractions. If you violate any of the visiting room or video visit rules, you jeopardize both your visiting privileges and those of your visitor.

## XI. Work Assignments (DC-ADM 816)

### A. General

1. All medically cleared inmates must accept any task assigned to them regardless of the amount of compensation offered in return. You do not have a right to be assigned, or continue to work in any particular work assignment.
2. If you are able to work, you will be assigned to a job depending upon job availability. Your job will be assigned through the Corrections Employment Vocational Coordinator. Your interests are a factor in making assignments. Your abilities, qualifications, and the availability of space on the job are also considered. However, as stated in this handbook, if you test below the 8<sup>th</sup>

grade competency level in reading, as measured by the TABE, you must enroll in the education program.

3. Failure to report to or refusal to work is regarded as a misconduct. Absence from your job location without prior knowledge and permission from a staff member is not allowed.
4. The job you desire may have a waiting list, or require special qualifications and your work assignment may be to an area that was not your first choice. This assignment, however, may be a steppingstone to other jobs in the future.
5. If you work irregular hours, you may be permitted recreational activity in designated areas at designated times.
6. You are expected to carry your share of the work, and to do any task assigned. You may be required by the crew supervisor to do any job relating to the general duties of the work crew. You may, at times, depending upon facility needs, be assigned tasks unrelated to your present job. You may not refuse to perform those tasks as assigned.
7. You may not leave your place of work without approval from the work supervisor and you must have a pass, properly signed, indicating where you are going and the time you left work.
8. Your job performance and conduct will be evaluated periodically and the evaluation will become part of your record.

## **B. Pay System**

If you work, you will be paid for the hours you work according to the **DC-ADM 816**. Most jobs are paid on the hourly basis. The pay system has three classes of hourly pay based on the skill level required. Each class has four pay steps. You begin at the bottom step of the class and can be considered for increases based on your skill, interest, and on-the-job performance. Pay is calculated monthly and credited to your account. Some Correctional Industries jobs include a bonus based on quotas or profits.

## **C. Length of Work Day or Work Week**

1. The standard workday consists of six hours, and the standard workweek consists of five days. You will only be paid for actual hours worked, as verified by the work supervisor. Hours of work will be figured from the time of arrival at, and departure from, the classroom or work site.
2. You will not be permitted to work more than five days a week or six hours per day under normal circumstances. In a department that functions seven days per week, where job changes are more frequent, you will be permitted to work more than five days per week without being eligible for overtime pay.
3. You may be granted a one-half hour break to visit the barber or beauty shop monthly and the Commissary weekly, if these opportunities are not available during your non-work hours.

## **D. Pay Rates**

1. The pay rates for skilled classifications are listed in the **DC-ADM 816**.
2. You will be assigned the starting step of the pay class that matches your work skill. If you are starting at the unskilled pay level of Class 1, Step A, you will be evaluated by the work



supervisor in 60 days for advancement to the next skill level. The work supervisor will base your advancement on your performance. Advancement to the next higher class can only occur if there is an opening in that class.

3. If you participate in, or have completed vocational training, you will not receive a reduction in pay rate if you are reassigned to an assignment that uses those skills.

#### E. Pay Changes

1. Pay raises and demotions will be at the discretion of the work supervisor based upon your performance as documented on the **Inmate Progress Report**. You are not entitled to pay raises and they are not automatic. Raises may be awarded only in one-step increments and are based on your work performance. The first pay raise and later increases will not be granted until you complete two months of satisfactory performance. Pay raises are effective in the first full pay period of the month following the approval of the raise. Demotions may be effective immediately.
2. You may be removed from a work assignment by a Unit Management Team action or misconduct proceeding. If you are found guilty of a **Class 1, Category A** misconduct, as defined in the **DC-ADM 801**, you may be removed from your work assignment.
3. The work supervisor may temporarily suspend you pending Unit Management Team review or misconduct proceedings.

#### F. Illness or Injury

1. If you suffer a job-related injury, as verified by the Medical Department, you are eligible to continue to be paid at the rate earned on the day prior to the injury. The work supervisor must complete an incident report documenting the injury and referencing the Medical Department's examination and determination of the injury. You will not be eligible for pay increases or bonuses during this time. The medical pay period shall not exceed 90 calendar days and each case will be reviewed every 30 days to determine if the medical pay should continue. After 90 days, you will be paid the Medical Allowance.
2. If you are unable to work as a result of self-inflicted injuries or injuries sustained as a result of a provoked assault or your carelessness, you will not be eligible to receive pay.
3. You will not be paid during times of illness or injury unless you get an excuse from work from the Medical Department. If a work assignment that you are able to perform becomes available, you may be assigned to that position and receive pay appropriate for that assignment. You must follow the advice of the medical staff and take all reasonable steps to improve your health during this time. Failure to do so may result in the stopping of your pay.
4. If you are unable to work for medical or mental health reasons, or you are confined to a Mental Health Unit (MHU), you are eligible for the General Labor Pool Allowance for a maximum of five days per week. If you are admitted to an MHU due to attempted suicide or self-inflicted injuries, you will not be eligible for the General Labor Pool Allowance. Following release by the Medical or Mental Health Department, and an evaluation by the Corrections Employment Vocational Coordinator, you may return to a previous job assignment.

### G. General Labor Pool

1. If you do not have a work assignment, including education, through no fault of your own, or if you remain in the assessment unit or Diagnostic Classification Center more than 60 calendar days, you will be placed in the General Labor Pool. While you are in the General Labor Pool, you will be eligible to receive the General Labor Pool Allowance as listed in the **DC-ADM 816**, for a maximum of five days a week. You will be eligible to receive the General Labor Pool Allowance for six months, with the possibility of a three month extension granted by the Facility Manager, until you are given a work or school assignment. You must maintain a proper level of personal hygiene, the cleanliness and orderliness of your living area, accept work assignments for the housing unit, accept any employment offered, and participate in recommended programs.
2. If you receive the General Labor Pool Allowance and do not maintain an acceptable level of personal hygiene, cleanliness of your living quarters or other areas assigned to you, or fail to participate in programming, the Unit Manager will assess whether you are to continue receiving the General Labor Pool Allowance. This assessment will include an interview with you and an evaluation by the Medical and/or Mental Health Department. The Unit Manager will tell you of the outcome of the assessment and instruct you on ways to improve your performance.
3. If because of a verified medical or mental health condition, you cannot maintain an acceptable level of personal hygiene, clean your living quarters, or some other area assigned to you, or participate in programming, you may collect the Medical Allowance.

### H. Assignment to Restricted Housing Unit (RHU)

If you are sent to the RHU, you will not be paid unless you are assigned a job in that unit. Exceptions to this may be approved by the PRC as outlined in the **DC-ADM 816**.

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## *Notes*