

LUZERNE COUNTY

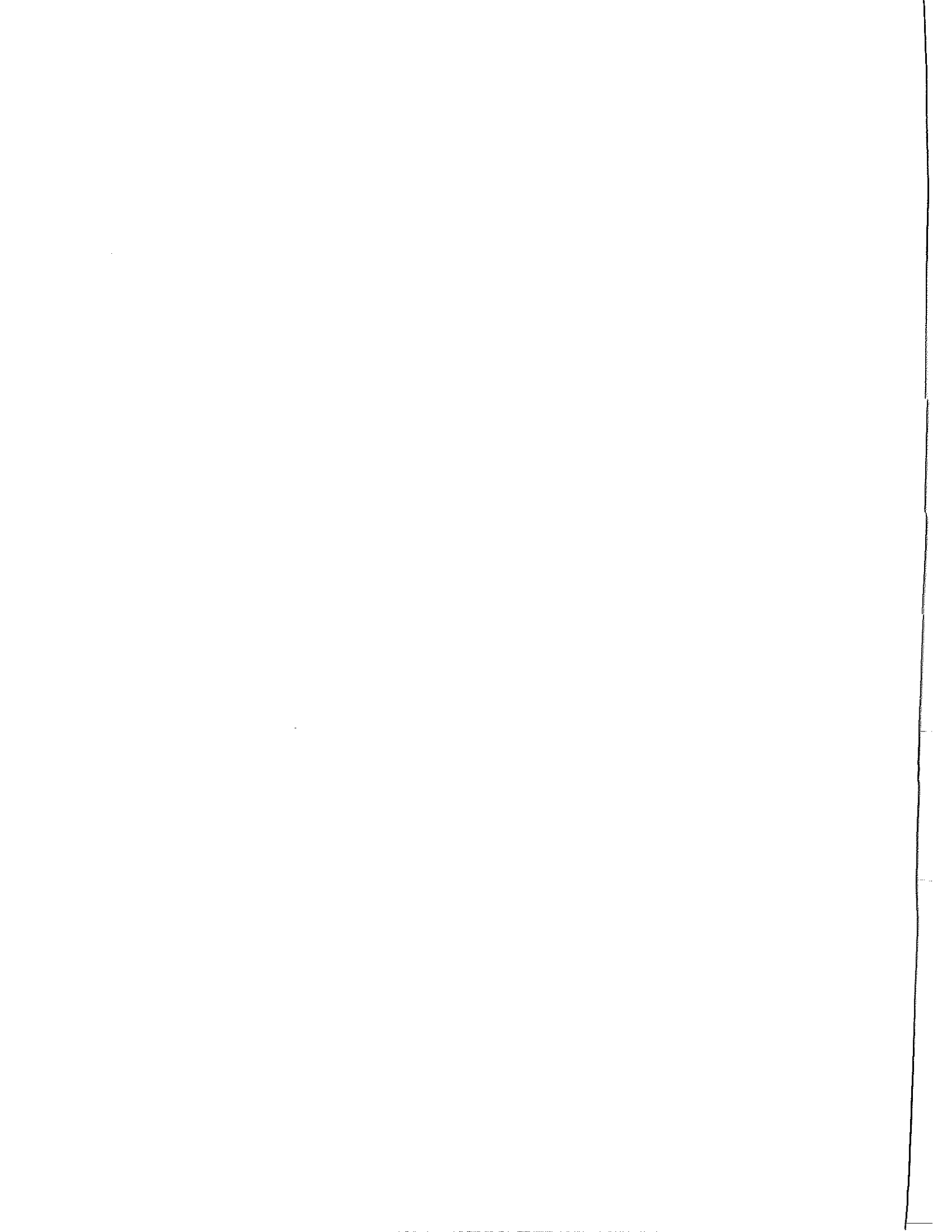


DIVISION OF CORRECTIONS



INMATE HANDBOOK

REVISED SEPTEMBER 2014



**LUZERNE COUNTY DIVISION OF CORRECTIONS
INMATE HANDBOOK**

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BASIC INFORMATION

Luzerne County Division of Corrections is a public institution detaining individuals awaiting trial and confining individuals sentenced by the Court. The Facility Administration institutes rules and regulations to meet its obligation of providing both *care* and *custody*—custody that requires necessary security restrictions and care, which involves providing services and programs.

To create a sanitary environment block area must be kept clean at all times. If block or living quarters are dirty it can result in a lock-down status for an individual or entire block.

It is important to remember that you are required to obey an order given or directive issued by a prison employee. Should you disagree or question an order, you are still required to follow it. The complaint will be investigated and a response given. Prison life is stressful, but you can reduce the stress by developing a positive and cooperative attitude.

REMEMBER !! THINK BEFORE YOU SPEAK !!!

Living Through It

Suicide Prevention for People In Prison

Feeling depressed, lonely, scared, without much hope for change? For many people, perhaps like yourself, these feelings may be due to incarceration, loss of a family member, the break up of a close relationship, or one of any number of reasons.

Reaching out is very important at times like this and is often very difficult. When you feel low, you don't need a lecture or advice that feels like a put down. You need someone who can listen to you with respect.

We offer someone to talk to, someone to help you to cope with your crisis!

Here is how to get that helping hand: Make an appointment to talk to a mental health clinician. Print the following information on a request form and drop it in the black box on your block.

NAME:
CELL & BLOCK:
REASON FOR NEEDING TO BE SEEN:
DATE:

Feeling like you have someone to talk with gives you hope!

How To Recognize a Crisis

People who experience a crisis may have already tried everything they can think of to solve their problem. Nothing seems to work. They may begin to feel hopeless and inadequate. This can be really scary. In fact, some people may do almost anything to escape it.

Unfortunately, many people feel that they have to solve their problems alone. Not seeing anything worthwhile for what they have already tried, They may try to hurt themselves. It may be they are standing too close to their problem to see their choices. This is why a trusted associate or a trained mental health counselor can be helpful.

Clues To Suicide

People find many ways of telling others how much they hurt. These are some of the things you may hear:

- * I can't take it any more.
- * It won't matter soon.
- * I'm no good anyway.
- *My family would be better off without me.

These are some of the behaviors of people who hurt so much that they might want to attempt suicide:

- * Neglect of appearance or health.
- * Always tired.
- * Drawing away from close associates.
- * Sudden edginess or restlessness.
- * Talk of death or dying.
- * Cutting or burning oneself.
- * Collecting pills or medication.

People who are doing any combination of these things may be experiencing emotional problems. They may be thinking of suicide.

What Can You Do For The Others?

- 1) Stay calm.
- 2) Show Concern.
- 3) Listen with respect.
- 4) Don't give advice that sounds like a put down.
- 5) Notify a staff member of your concern.

HELP NOT ASKED FOR IS NO HELP AT ALL!

COMMITMENT / QUARANTINE

Individuals committed to the Facility must undergo certain reception, orientation and classification process. The following procedures are outlined for your awareness.

COMMITMENT

1) The Desk Sgt. will determine that each person committed has been committed by the proper legal authority and authorized officials. The commitment officer at this time will complete necessary forms to include personal history, medical history, transporting authority form and suicide assessment form.

2) An officer will conduct a thorough search (to include a strip search) for weapons and contraband as well as check the body for vermin, cuts, and bruises. This search will be conducted in a professional non –humiliating manner, a female officer will handle all searches of female commitments. Strip searches will be determined by the strip search decision tree.

3) The records department will photograph each person committed.

4) All personal property is to be turned in, with the exception of wedding ring (no stones), 1-eye glasses and or contact lenses, dentures, medical alert bracelet, prosthetic device (must be approved by the medical department) acceptable photographs, addresses, business cards, legal papers and 1- plain link chain and religious medal which is no larger than a 50 cent piece. All other items will not be permitted beyond the booking area. The only items that may be stored in the facility for more than 30 days are: 1-wallet or purse with acceptable contents. (IDENTIFICATION, CREDIT CARDS, KEYS (no cuff keys or security keys) CLOTHES & SHOES. An itemized inventory of all property removed will be made and a receipt will be furnished to the Inmate. It is the inmate's responsibility to have any unauthorized items picked up by family or friends. ANY AND ALL ITEMS NOT AUTHORIZED ABOVE FOR STORAGE IN L.C.D.C. WILL BE DISPOSED OF AFTER 30 DAYS OF COMMITMENT. NO EXCEPTIONS WILL BE GRANTED. A receipt will also be issued for all Prison Issue clothing received by the inmate, it is the responsibility of the inmate to return this issue upon his/her release or being placed on the out count. Inmates will be held financially responsible, on a prorated basis for all items not returned in appropriate condition.

5) Each new commitment will shower upon admission. The inmate will also be issued county clothing and a hygiene kit (soap, comb, toothpaste & toothbrush).Footwear will also be issued. Inmates are to have county issued footwear only.

6) A telephone is available in the commitment area and the inmate may have the opportunity to make a local or long distance phone call (collect) upon admission. (Calls will be limited to (5) minutes).

7) Medical personnel will perform screening upon commitments to determine if any current illness or health problems exist. A preliminary examination will be given to each new commitment's within approximately 48 hours that includes a physical performed by either a physician or certified nurse practitioner. This preliminary physical is mandatory prior to movement from commitment status and refusal will result in restriction of privileges to legal calls and legal visits only.

8) Each inmate will be issued a copy of the institution rules and regulations. Information as to facility work programs, educational opportunities and counseling programs. This handbook must be returned upon release or the inmate will be charged \$3.00

9) All inmates requiring medical attention during processing will notify staff.

CLASSIFICATION

The inmate's assignment to a particular housing area is solely the decision of the Classification Specialist. The classification of the inmates is undertaken to ensure their safety, the safety of other inmates and the security of the institution. Each inmate is evaluated in terms of personal, criminal, medical and social history. The amount of bail will not be used as the sole or controlling factor in classification decisions. Upon commitment into the Luzerne County Division of Corrections, temporary classification will be assigned to all new inmates. Within ten (10) working days there shall be a formal evaluation conducted and permanent classification shall be assigned to one of the block areas. If the inmate feels the Classification Specialist's initial security level decision is not appropriate, the inmate may file a request contesting the decision. This request must include the reasons that the classification is being challenged and show cause why the decision should be changed. The entire committee will then review the decision. If a reclassification is appropriate the move will be made by the Classification Specialist.

The classification process is ongoing and the importance of maintaining contact with the Classification Specialist via the inmate request form is stressed. A review of classification will be conducted every ninety (90) days for maximum security and medium maximum security level inmate's. Inmates will only be notified of this review if a change in their security level is deemed appropriate. Classification while housed at L.C.D.C. may change under the following conditions. A. completion of one sentence while incarcerated on additional charges. B. dismissal of charges when appearing in court for sentencing / preliminary hearing etc. C. appropriate institutional adjustment. Inmates are advised to notify their counselor of any change in category A. or B. Inmates meeting any of the above conditions should also submit a request in writing to the Classification Specialist requesting a change in classification. The specific reason for the reclassification should be stated in the request. The shift supervisor may temporarily classify or reclassify any inmate prior to being seen / reviewed by the classification specialist.

In determining each prisoner's degree of security needed, housing assignments. Job assignments and overall treatment plan, the following items should be considered through the classification process:

- 1) SEX
- 2) AGE
- 3) CRIME
- 4) SENTENCED OR NOT
- 5) PAST CRIMINAL HISTORY
- 6) MEDICAL CONDITION AND NEEDS
- 7) MENTAL CONDITION AND NEEDS
- 8) EDUCATION AND VOCATIONAL NEEDS
- 9) SPECIAL SERVICES AND PROGRAMS

GENERAL RULES AND REGULATIONS

FIRE EVACUATION: When an order is given to an inmate to evacuate the housing unit, inmates will do so immediately and in an orderly manner. Refusing said order will result in a misconduct or possible loss of life. Evacuations are done for the safety of all inmates.

STANDING FOR HEADCOUNTS: All inmates will stand by their cell door for headcounts and their beds will be made. Inmates housed in dayrooms or cubicles, will stand by their beds. Failure to abide by all rules and regulations regarding headcounts will result in pre-hearing confinement and issuance of a misconduct.

- 1) An inmate is never permitted to enter a cell or room, other than that assigned to him nor are you permitted any inmate to enter your cell unless officially assigned to the same cell. If you don't live on the mezzanine, you will not be permitted to go up on the mezzanine.

- 2) While in the general block area, you must walk to the speaker, identify yourself and give a valid reason in order for the officer to open the door. While commissary, library, or medication is being passed out, do not interfere with the staff while one block door is open. i.e. asking to come out for a broom, razor toilet paper etc.

3) An inmate is responsible to report immediately to his assigned cell or room when a lock-up directive is given. You will not argue with staff.

4) An inmate must never leave the assigned housing area unless so directed by a staff member and a travel pass is issued.

5) An inmate must not loiter in an unauthorized area.

6) An inmate is not permitted to barter, exchange, sell give or receive materials, property or services at any time.

7) An inmate is not permitted to fight or indulge in horseplay.

8) All inmates are responsible for keeping their housing area (cell, block and dayroom) clean. If an area is not clean, this may result in a lock-down for an individual or an entire block.

9) When being assigned to your cell, inmates will immediately make the correctional officer that is present aware of any markings or drawings on the cell walls. Failure to notify the C.O. will result in the inmate being charged for the cleaning and painting of the cell walls.

10) An inmate is not permitted to place pictures, posters, letters, papers or clothing on the wall, mirror, ceiling, bars or windows. Clothing must be folded and put in the storage bin. Pictures can be placed on the two (2) cement blocks above the desk. In a double cell only 1 block per inmate.

11) Sanitation prevents inmates from storing foods in their cell (except commissary items), sitting on tables, or walking without footwear.

12) No tobacco or incendiary devices are allowed in this facility.

13) Inmates are not allowed to possess contraband. (Contraband is any item not lawfully permitted to be kept upon commitment, any item not (lawfully) obtained through the prison or any item altered or changed from its original condition or purpose).

14) All inmates and property are subject to search at any time. (Legal papers will be examined by staff for contraband; however, they will not be permitted to read this material.) Legal material must be related to an active ongoing case.

15) An inmate is not permitted to possess excessive materials. (Materials shall be found to be excessive if they create a security or fire hazard.)

You are responsible for any and all items in your cell. No cardboard boxes in cell. Maximum of (10) letters, cards, and pictures per inmate. Only the current days newspaper may be retained in a cell.

16) All verbal orders and directives from prison staff shall be obeyed immediately.

17) All inmates should mark their personal items in such a manner to permit verification of ownership in the event of theft or loss. The facility is not responsible for any lost or stolen articles.

18) During routine cell searches, residents will be pat searched by correctional staff before they begin the inspection process. If probable cause is established a strip search will be conducted.

19) Water in sinks will not be left running. i.e. to cool down milk, juice, etc. Placing articles in sinks to allow water to run is prohibited.

20) No covers will be placed on vents, windows, lights, doors or fire equipment.

- 21) No tampering with security equipment or devices. i.e. lights, air conditioners, thermostats, locks, air intakes.
- 22) Beds are not to be enclosed with any material (blankets, sheets, coats etc.) Inmates must remain in full open view at all times. Nothing is to block opening in the cell door.
- 23) Upon commitment all hair extensions or hair- pieces shall be removed. Refusal to do so shall result in disciplinary action and the inmate assigned to administrative lock-up housing. Inmates shall remain in administrative lock-up until the removal of their hair extensions or hair-pieces.
- 24) Artificial or reinforced fingernails will be removed or trimmed to a minimum at the time of commitment.
- 25) Any body piercing must be removed at the time of commitment.
- 26) Any tobacco product or disposable incendiary devices are contraband and will be destroyed upon commitment to L.C.D.C.
- 27) Inmates are not permitted to use structural components of the facility to exercise. ie. No pull-ups from the steps etc.
- 28) Practicing of martial arts, Drilling or Marching is not permissible at any time.
- 29) Foot lockers are to be stored under beds and shall not be used as tables, seats, shelves or any other purpose.
- 30) Tampering with, removal of, damage to, destruction of, blocking of, or in making any lock, door, or locking device inoperable, or any other facility equipment, including any fire or safety equipment is prohibited.
- 31) Any sexual behavior involving another person whether voluntary or involuntary is prohibited. Any such conduct will be treated as a misconduct and / or violation of the law.
- 32) Practicing of martial arts, such as judo, karate, or other arts or forms of self-defense including drilling and marching are not permitted.
- 33) Absence from assigned locations without prior knowledge and permission from an employee is not permitted.
- 34) All orders must be followed: You will, at various times, be given orders by officers, supervisors and staff members of the facility. When you receive an order you must promptly and properly do as you are instructed. You must immediately give your name and show your I.D. card to an employee who request you to do so. All inmates must have I.D. cards.
- 35) If you have conflicting orders from different staff members, if possible, advise the person giving you the last order of the conflicting orders you have received. Always obey the last order given. If you feel an order is unjust, you must obey the order when given. You may make a formal or informal complaint to a higher ranking official later.
- 36) You are responsible for keeping yourself informed of all current and new facility rules and regulations and notices which are posted or given to you. All notices are considered rules and regulations and must be followed.
- 37) Personal property is your responsibility. The facility will not be responsible for articles lost or stolen.
- 38) Shower facilities and clothing are provided for you and you are expected to make every effort to be neatly dressed and conscious of your personal hygiene at all times. If personal hygiene becomes a problem, staff members will notify you and you are required to correct the situation at once.

39) You are responsible for the contents of your cell or living area and you will be held accountable for any contraband (unauthorized items) found on your person, among your belongings, or in said area. If you share housing with other(s) any contraband found in these areas will be considered in your possession weather it belongs to you or not. You should inspect your cell or living area prior to leaving and immediately upon entering to make sure you have complied with all housing regulations. If you find any contraband item, immediately report it to the corrections officer working that area.

40) Travel Passes/ I.D. Card: An inmate I.D. must be displayed whenever you leave your cell. When you leave your assigned block, for any reason, an inmate must have a pass signed by the Corrections Officer working in that block or housing unit. Inmates must produce the pass to any staff member requesting to see it at any time. Inmates will have their passes signed by the staff member when leaving that area. Inmate will be held accountable for returning the completed pass to the issue officer. When off your assigned block, you will be ordered to return to your block if you do not have your pass and I.D. Card.

41) Coffee pots are provided for the purpose of heating water only. Any other use such as re-heating food or liquids is prohibited.

CLOTHING AND DRESS CODE

1) All inmates MUST have their identification card displayed on their shirt whenever they leave their cell.

2) All personal clothing (shirt, shoes, pants, socks, undergarments, etc.) will be taken from you upon admittance. Each inmate is required to have one pair of civilian clothing and shoes stored in the commitment area for Court purposes. The institution is not responsible for cleaning personal clothing, but an inmate may exchange the set to ensure cleanliness. This may be done by submitting a written request to the Captain seeking approval for someone to bring the clothing in for exchange (to be accomplished during non-visiting hours). Please note that items will not be accepted unless prior written approval is given. Please be aware that the court considers minimum attire for males to be a shirt and slacks, and for females a dress or two piece clothing meeting at the waist. NOTE: Street dress clothing will only be worn for Court appearances involving a jury trial, prison issue will be worn for all other court appearances.

3) Each inmate will be given prison issue which he or she will be responsible to maintain and return in satisfactory condition. Inmates who fail to do so may be required to pay for the cost of damage or destroyed issue as well as face disciplinary action.

4) All issue clothing will be washed in the Facility's laundry room.

5) While in the block or day room areas, each inmate is required to have on a shirt, trousers or athletic shorts and shower shoes or tennis shoes.

6) Inmates must wear a shirt, long trousers and shoes with socks (no shower shoes) when leaving the block area. NOTE: Inmates must wear shoes for a visit. T-shirts must be tucked in when leaving the block.

7) All clothing is to be worn properly without modification. Pants must be worn around the waist not pulled down.

8) Wave-caps may only be worn at yard, in the dayrooms, and while in your cell. They are NOT PERMITTED in other areas.

9) Gym shorts will be permitted for yard-out or gym. Boxer shorts are not allowed.

10) Winter hats, which can be purchased through commissary, can only be worn to yard. They are not permitted to be worn on the blocks.

11) Prior to discharge, all items previously issued by the prison will be collected. Any items not returned or accounted for will be charged to the inmates account and deductions will be taken prior to issuance of discharge check.

PERSONAL HYGEINE / LAUNDRY

Pillows and mattresses will be sanitized at least once per month by each inmate. A sanitized spray will be provided to the inmate to clean these items.

SCHEDULE AS FOLLOWS:

Women-First Saturday of the Month
L1 & L2- First Monday of the Month
2ND Floor- First Monday of the Month
3RD Floor- First Thursday of the Month
4TH & 5th Floor- First Friday of the Month
M.O. Unit A Block-First Saturday of the Month
M.O. Unit B Block- First Sunday of the Month
Female Work Release- First Saturday of the Month
Work Release Trailer- First Sunday of the Month

**Schedule subject to change.*

Upon Inmates discharge, a block worker while being supervised by an officer will sanitize pillow and mattress.

SHOWERS Frequent showering is essential for hygienic living conditions.

SHAVING The opportunity to shave will be provided daily. Shaving is to occur immediately upon being issued the razor with approximately ten minutes allotted. The inmate is responsible for the return of the razor and blade. An I.D. must be presented to receive a razor. The officer will verify I.D. of the inmate, check razor and issue it to the inmate. Upon return, officer will verify inmate and razor before I.D. is returned. All razors must be turned into control officer no less than (15) minutes prior to any lock-down or specified return times. The correctional officer working a duty post where an inmate is being moved from another classification shall take said inmates razor to the new classification. Any evidence of tampering with razors, shall be subject to misconduct.

HAIRCUTS Inmates will have the opportunity to obtain haircuts as scheduled from the institutions barber. You will be notified the day you are to receive the haircut.

LAUNDRY The facility's laundry service will launder prison issued clothing according to the posted schedule. Sheets will be exchanged once per week on a one for one basis.

BLOCK TELEPHONES

A telephone for inmate use is located in each housing area, and may be used during certain designated hours during "block out" periods. The phone is not able to receive incoming calls.

Due to the ever increasing demand for alterations to inmate telephone accounts, the following policies are in effect.

1) After submitting the initial phone list, newly incarcerated individuals will have (5) days to make corrections /additions or deletions to their list.

2) All other inmates can make additions or deletions to their phone list every (90) days. NO EXCEPTIONS!

3) Alterations will be performed on Friday, i.e., if you submit a request on Monday, do not expect a response until Friday of that week.

BLOCKED LINES: To unblock a line a Photostat copy of the page of the phone bill, which shows the telephone number and a letter from the person of which the phone bill's name is in will be required in order to have that phone number reinstated to the system or unblocked. Reinstatement of said telephone number will only be completed upon receipt of the requested documents. The individual can either mail the documents or drop them off at the main facility, in an envelope addressed to Warden's office.

Upon booking each inmate is issued an inmate telephone authorization form. This form must be completed with up to six (7) personal telephone numbers that you would like to be able to contact plus your attorney (MAXIMUM OF 8 NUMBERS). In order to utilize the block telephones, you must complete this form and submit it to the Captain's Secretary via in-house mail. A telephone identification number will be issued at the time of booking. This number must be entered on the keypad every time you use the phone. You must keep this telephone I.D. number a secret. Do not share or give it to anyone. There may be future uses for this number regarding your commissary account. Once you receive this number you can make collect calls or debit calls.

The phone system will allow either three (3) collect calls or \$25 worth of calls to a particular phone number (this only applies to an individual's first incarceration in this facility) When either of these conditions are met, no calls will be allowed to that phone number. The owner of the phone line will need to set up an account with the inmate phone company before any more calls can be accepted.

NOTE: Advanced optional services (call waiting, three-way calling, cordless phones etc.) can cause the phone to disconnect prematurely. L.C.D.C. does not allow inmates to make three-way calls.

NOTE: Calls to cell phones are not guaranteed. The authorization form that you fill out with your requested numbers advises not to use cell phones. If you call a cell phone and there is any problem the inmate telephone company will not reimburse any lost money. It is recommended that you use landlines whenever possible.

TO MAKE A CALL: pick up the phone and follow directions.

A) If the called party does not accept the charges, the call will be terminated.

B) Prevailing phone rates for these calls will be in effect.

C) Misuse of the telephone or harassment will result in loss of telephone privileges.

RULES OF PHONE USE

1) Calls are to be limited to ten minutes to afford all inmates the opportunity to use the phone. All calls are to be made from the block phone.

2) Arguments over the telephone will not be tolerated in any way and may result in the phone being disconnected, in addition to any disciplinary action, which may be deemed appropriate by the Hearing Examiner.

3) The facility staff will use their discretion in determining abuse of telephone privileges and may terminate a call if deemed necessary; a staff member will issue a misconduct report to be referred to the Hearing Examiner.

4) Inmates housed in the R.H. U. or misconduct lock-up areas of the facility for disciplinary reasons will not be permitted to use the block telephones. All correspondences will be made through the U.S. Postal Service. If an inmate housed in this status feels it is necessary to make a call to their attorney during daytime hours, they must request permission from the Correctional Counselor via inmate request form. They must include the name and phone number of the attorney. The Correctional Counselor will determine if the inmate will be allowed the call on a case by case basis. Any requests without the attorney's name will not be responded to.

5) Phone messages for inmates will not be accepted by staff members unless they are of an emergency nature, and the message will only be forwarded once the emergency has been verified.

TELEVISION

Televisions are located in the dayroom / block sections of the various housing areas of the facility and will be available for viewing during block- out periods.

NOTE: Program selection will be made by the majority of the inmates.

Each cell will be equipped for cable television. If you would like a TV in your cell, you will be required to purchase one from the commissary and pay for the use of cable services if you wish to have cable. T.V. will be purchased at the commissary only for the cell's, no television will be mailed or brought into the facility.

Radios will be purchased at the Commissary Only.

Upon your release, transfer, temporary release or furlough from Luzerne County Division of Corrections you will be required to take with you, your purchased TV / or Radio. You will not be permitted to sell or give away upon your release. Upon your release, transfer, temporary release or furlough, from the facility, you will have five (5) days to pick up your personal property. If the items are not picked up within the specified time they will be designated contraband and be destroyed/removed from the facility. Inmates being transferred to a state correctional facility will have thirty (30) days to have their property removed from the facility. All inmates should be aware that once a television is removed from the main facility, for any reason, it will no longer be allowed back in the main facility.

MEALS

* Upon intake you will be issued a spork and a cup for your meals. The spork and cup are your responsibility during your stay at LCDC. You must return the spork and cup undamaged upon release.

PROCEDURES: All meals (except hospital, separation, commitment) are served in block or housing area. Each meal will be brought to your assigned area where you will eat your meal and clean up after yourself. Special diets will be served at the same time.

COMPLAINTS: All complaints concerning food or food services are to be directed to the security staff member supervising that area. The inmate also has the option of submitting a written complaint to the Food Service Manager.

NOTE: Food trays will be returned to the designated areas shortly after the meal is served. Any inmate not removing food trays from their cell will be issued a misconduct report and disciplinary action will be taken.

YARD- OUT / RECREATION

General Population (No Restriction)

Weather and season permitting, outdoor recreation will be available for two (2) hours per day, seven (7) days per week. At times of inclement weather, all recreation will be held in the designated areas.

Approximately ten (10) minutes prior to recreation, the control booth operator will announce to the block, "Stand by for yard". Immediately following this announcement, all inmates not attending yard will return to their cell and lock down. Inmates locking down, will remain in their cell until completion of their particular yard and all inmates have returned to the block. Failure to comply with the lock down order will result in a misconduct report being issued.

Movement To / From Yard

After all inmates not going to yard have locked down, inmates attending yard will form a single file line in front of the block door. When the order "Move to yard" is given, all inmates attending yard will proceed in an orderly manner to the appropriate area. Inmates will remain in a single file line and when reaching the first floor, will walk between the yellow and black lines, with their shoulder to the nearest wall. Inmates will not stop to talk to anyone at the time of movement to or from yard or attempt to see a supervisor. Any inmate not acting in an orderly manner while in movement will be returned to their block and misconduct will be issued.

R.H.U. Procedures

One hour of yard will be provided five days per week for all inmates housed in R.H.U. excluding weekends and holidays. Weather permitting, R.H.U. yard will be held outdoors in the small yard. At times of inclement weather, inmate will utilize the designated area for recreation.

Movement To/From Yard (R.H.U.)

Inmates will be notified 10 minutes prior to yard. Any inmate refusing yard when called will not be offered yard for the remainder of the day. Officers will notify all inmates who will be called for the particular yard to step forward in the cell. The inmate will then extend his wrist out of the cell to be cuffed. After being cuffed, the door will open and the inmate will step out and stand in front of the cell. The inmate will remain standing in front of the cell until all inmates going to yard are out of their cell. On the officer's command, inmates will walk single file to yard. While going/coming from yard, inmates will remain inside the yellow and black lines with their shoulder to the nearest wall. Inmates will not stop or talk to anyone while moving to/from yard nor will they attempt to see a supervisor. Upon entering the yard area, cuffs will be removed and the inmate will begin recreation.

When yard is completed, inmates will form in a single file line in front of the door. After cuffs are placed on the first inmate, he will move to the back of the line. This procedure will continue until all inmates are cuffed. They will return to the block in the same manner as when they came to yard. When reaching the block, inmates will enter their cell, lock the door and wait for the officer to remove the cuffs.

Female Recreation

Times of female recreation will vary due to scheduling. They will receive two (2) hours daily. The large or small yard will be used in times of good weather, yard will be held in designated areas.

YARD RULES

- 1) Marking of walls in the yard or gym will not be tolerated.
- 2) Hanging from the basketball rims or slam dunking will not be tolerated.
- 3) When yard is outdoors, inmates will remain in the area marked by the red and yellow lines.
- 4) Inmates will not sit in chairs provided for the officers.
- 5) Sports equipment will not be abused.
- 6) Food or liquids are not allowed at yard.
- 7) Radios may be taken to yard.

YARD RULES Continued:

- 8) There will be no practicing of martial arts, marching or drilling while at yard.
- 9) Weight lifting will not be permitted.
- 10) Failure to comply with yard rules will result in an inmate's removal from the yard and the issuance of a misconduct report.
- 11) Skywriting to other inmates in housing units from yards or vice-versa is prohibited and may result in temporary suspension of yard privileges and or misconduct.
- 12) Inmates moving to yard will travel in an orderly manner, talking to others is prohibited.
- 13) No writing on basketballs, volleyballs, gym equipment or floors.
- 14) No leaving notes for other inmates.

MAIL

There is no limitation on the volume of mail that an inmate may send or receive. Inmate mail is not read or censored unless there is reason to believe that the inmate is either involved in illegal activities or is in violation of the rules and regulations of the Luzerne County Division of Corrections. **A maximum of ten (10) letters, (10) cards, and (10) pictures may be retained in your cell at any time.**

OUTGOING MAIL

Outgoing mail must be labeled with the proper return address, (i.e., 3rd floor B-Block) and seal the envelope. The inmate will then place the envelope in the designated container located within the institution.

Inmates housed in the hospital, infirmary, R.H.U, and misconduct lock up will keep mail in their possession until a security staff member picks it up. The mail is picked up daily at approximately 8:00 A.M. (except Sunday).

Correspondence sent to the Luzerne County Court House, District Attorney, Public Defender, Probation Office, Common Pleas Judge, etc. may be sent via the county delivery system requiring no postage. Place said correspondence in box marked "Courthouse Mail". Address the mail "In House Mail (Office)". To speed the delivery process, have the people who correspond with you mail it to:

EX: John Doe
3rd Floor B block
L.C.D.C.
99 Water Street
Wilkes- Barre, PA 18702

INCOMING MAIL

All incoming mail will be received by the Postal Officer, who will screen the mail to determine if the addressee is still confined in the institution. All mail addresses to discharged inmates will be returned to sender. The Postal Officer will then remove the flap and stamp to inspect the envelope for money order, contraband, etc. The mail is then sorted and distributed to the various housing areas, in a timely manner. All incoming mail will be taken out of the envelopes. If an inmate needs a return address they will be allowed to copy the address before the envelope is discarded.

1) Privileged Correspondence: Correspondence to or from elected or appointed local, state, or federal officials as well as attorneys, is considered privileged. Privileged correspondence will only be opened and inspected by an officer in the presence of the inmate.

2) Publishers Only Rule: An inmate may receive only legitimate newspapers, magazines, books and other publications directly from the publisher (not from family, friends, etc). The only exception to this rule applies to soft bound legal books or publications which are not available in the Law Library. An inmate must request permission from the Warden (via request form) for approval. (NO DISTASTEFUL MAGAZINES OR PORNOGRAPHIC MATERIAL) An inmate may only possess three(3) magazines and three (3) paperback books in their cell at any time. Any number greater than this will be placed in personal property storage. An inmate may not possess more than one(1) Bible, Koran, etc. in their cell. Additional religious study material must be approved by the facility Chaplain.

3) Photographs: Photos that do not contain chemical processing on the back will be accepted through the mail. A total of 10 photos are permitted to be in the inmate's possession; all others will be placed in the Inmate's property box and the inmate will be informed.

4) Contraband: All items received through the mail that are not illegal but constitute contraband will be placed in the inmate's property box and the inmate will be notified. No stamps, cash monies, drawings, jewelry, electronic greeting cards etc. will be accepted. Any items deemed unacceptable by staff for security reasons will be placed with your personal property.

5) Newspapers: The local newspaper (morning edition) is delivered to the facility Monday through Saturday, with one paper distributed to each block area. This paper is intended for reading by all inmates. Please cooperate by passing it along.

NOTE: If you desire to have your own newspaper, you may have it mailed from the publisher only, NO NEWSPAPERS WILL BE ACCEPTED FROM FAMILY, FRIENDS, ETC.

INMATE ACCOUNTS

When booked a \$100.00 processing fee will be posted to your account. If you have a deposit on your books when the processing fee is posted the entire amount will be deducted toward the processing fee.

If you have a positive balance on your account, any cost recovery item i.e. medical charge, misconduct, processing fee, etc. will be deducted from that balance in full. If your balance is not the full amount of the cost recoveries item then 20% of each deposit will be deducted until that item is paid in full.

If you owe money from your last visit to our facility that amount of money will be posted to your account when booked and then the processing fee will be posted. If a deposit is made to your account after the processing fee is posted 20% will be deducted until all money owed is paid.

When a deposit is made on your account it is posted the next day but any deposit made on Friday, Saturday, or Sunday will be posted to your account on Monday morning.

FINANCES

All inmates' funds are processed through the Commissary with the inmate's current account maintained at the facility's Commissary. An inmate may receive funds either by money order or certified check. Personal checks will not be accepted. Money in the inmate's possession during the initial commitment is credited to the inmate's account and a receipt will be issued. All inmates are subject to a \$100 processing fee.

An inmate may receive and disperse money from his individual account subject to the following:

- 1) Money Orders and certified checks will be accepted in the mail and a receipt furnished to the inmate. The institution will not accept nor be responsible for cash money sent in the mail. Any check over \$250.00 will not be credited to your account until it clears the bank.
- 2) Cash or credit may be used in the kiosk in the front lobby for deposit to inmate's account or depositor may go online at <https://www.offenderconnect.com>.

NOTE: NO PERSONAL CHECKS WILL BE ACCEPTED AT ANY TIME.

- 3) An inmate may not transfer funds to another inmates account; neither family nor friends of one inmate may place money on the account of another inmate. *This rule is designated to protect an inmate and attempt to circumvent it will be treated as a serious disciplinary matter.*
- 4) Inmates will only be permitted to send money home to provide for the support of their family. Inmates will only be allowed to send money from their accounts to pay bills. A bill is to be brought in for payment and after an inmate signs necessary paperwork, the check will be made payable to the bill such as, "Verizon" "PPL" etc. Checks will also be released for any legal work and will be made directly payable to the attorney, Magistrate, Clerk of Courts.
- 5) The inmate shall submit a request form and an addressed envelope to the Commissary for every transaction that is requested.
- 6) Coin and currency are not permitted in the institution (with the exception of Work Release). Inmates found to be in possession of coin/currency will have the money confiscated as contraband and placed in the inmate welfare fund.
- 7) RELEASE: At time of release from the institution the inmate will receive a releasepay prepaid debit card. Instructions regarding this card can be found on page 49 of this handbook. You will also be given instructions at the time of release.

COMMISSARY / STORE

Inmates are able to order commissary via block telephones. Inmates will have all week to place their orders for the next commissary day.

The amount you are permitted to spend for the week is \$75.00. that amount does not include the purchase of T.V.s and Radios. Such items as toiletries and candy are available. The commissary supplier establishes the prices of these articles.

- 1) A maximum of \$100.00 a week may be spent (excluding tennis shoes, radios and televisions). **No inmate will be allowed to have more than \$100 worth of merchandise accumulated in their cell at any time (excluding TV, RADIO, SHOES) All receipts to prove purchase of items must be maintained by the inmate.**

2) Indigent Status: An inmate having no funds on his prison account for a period of three weeks may qualify for indigent status. This status allows the inmate to obtain certain health/sanitary items such as toothpaste, shampoo, deodorant, detergent and writing materials.

NOTE: Inmates in misconduct lock-up are permitted sanitary items only: soap, toothpaste, toothbrush, shampoo, deodorant and writing materials.

LIBRARY

The institution provides a library for use by the inmate population. Library materials have been chosen to meet the various needs and interests of the inmates. This institution provides professional staff for the operation and supervision of the Library. If an inmate has a question or suggestion in reference to the library service, he may submit it via inmate request form.

- 1) Law library schedule hours. (see posted schedule for your assigned area).
- 2) The inmate is to be properly dressed and ready to go when called.
- 3) Each inmate is expected to exhibit appropriate behavior
- 4) Each inmate is to spend one (1) hour at the Law Library to ensure that all inmates are able to go.
- 5) A maximum of 20 inmates, from that particular floor, will be permitted to Law Library at the same time.
- 6) Each inmate is responsible for the material he is using. The Librarian will come to each block weekly with the cart with general reading material.
- 7) The inmate must return the material in one week in satisfactory condition and is subject to disciplinary action and payment for lost, damaged or destroyed items.

VISITATION

The value of frequent visitation with family and friends in sustaining family life and maintaining moral is recognized by the Facility. The number of visitors an inmate may receive and length of the visits are limited only by schedules, available space and security requirements. Presently an inmate may receive two (2) 30 minute visits per week. ALL NON- CONTACT.

NOTE: You will need your pin number for your visit.

Anyone having relatives who live more than one hundred miles away; may, under certain circumstances, request a special visit. This visit must be approved by either the Captain or Lieutenant.

*VISITORS ARE SUBJECT TO SEARCH UPON HAVING REASONABLE CAUSE.

GENERAL RULES CONCERNING VISITS

1) Minors under the age of 18 may visit when accompanied by a parent or legal guardian, and need not be placed on the visitation list. In the case of a spouse under the age of 18, verification of age and marriage will be required. Persons who have been incarcerated in the Luzerne County Division of Corrections during the previous six months normally will be denied visitation approval. Changes and additions to the visitation list may be made utilizing the inmate request form (marked visitation space). The name of a visitor may be removed for good cause; however, the inmate will be informed in writing of the decision and the reason such action was taken. The inmate shall have the opportunity to have such a decision reviewed by the Warden by submitting an inmate request form.

2) Visitors must produce two forms of identification proving age (one being a picture I.D.), current address, telephone number and must match the visitation list information. The I.D. presented must not be past the expiration date. Failure to provide current address/ falsification of will result in denial of visiting privilege for that visit.

3) Individuals found to be under the influence, disorderly or improperly dressed will be denied entrance.

4) Children under the age of 18 may visit when accompanied by a parent or legal guardian and these visits shall not count against the inmate's visitation limit. However, no more than three (3) persons, including children may visit at one time. Parents must have child's birth certificate and social security card. Guardians must have guardianship papers and birth certificate for child.

CHILDREN UNDER THE AGE OF FIVE (5) MAY VISIT TWICE MONTHLY ON THE FIRST AND LAST VISITING DAY OF THE MONTH.

5) The parent or guardian is responsible for the conduct of the child while on institution property and failure to exercise control may result in termination of the visit and expulsion from prison property.

6) Any inmate violating visiting regulations is subject to suspension of visitation privileges.

7) Visitors are to leave all belongings (coats, bags, jewelry, earrings, pocketbooks) in their vehicle or lobby, using the lockers and the coat racks. Nothing is permitted within the institution. The prison is NOT responsible for lost or theft of a visitor's property.

8) All visitors are subject to search- failure to comply will result in loss of visitation. No cigarettes, lighters, cell phones, pagers, cameras or recording devices.

9) A visitor may visit only one (1) inmate per visiting day.

10) Hospitalized Inmate's – No visiting hours unless inmate's condition is life threatening or surgery is necessary. All visits for hospitalized inmates must be approved by the Warden.

VISITATION- PROFESSIONAL

Professional visitation is granted to individuals such as attorneys, probation officers, police officers, social services officials and clergy (approved by clergy cards through the Chaplain). This type of visit is not counted toward the regular visit limit.

1) Inmate and visitor are subject to all institutional regulations and visitation rules.

2) Visitation is conducted in locations that ensure privacy.

3) The professional visitor is not to give the inmate any material without prior examination and approval of the staff member in the control center.

4) All visitors must sign the facility register and produce picture identification, NO EXCEPTIONS.

MEDICAL SERVICES

The facility maintains an infirmary facility within the institution staffed by state licensed health care personnel. Additional 24 hour medical coverage is provided by the contractual services with a local physician and arrangements with local hospitals. No inmate will be denied necessary medical attention or be obstructed in seeking access to the doctor or medical staff.

1) ROUTINE SICK CALL: Sick call is held daily – seven days a week, for treatment of minor or chronic illnesses. In seeking access to sick call the inmate must submit a medical request via the request form. If an inmate requires immediate attention, the supervisor will notify the medical department; however normally an inmate will be seen the day following the submission of a request. This allows time for appropriate sorting and allocation of treatment according to priorities of need, as well as review of records.

2) EMERGENCY MEDICAL CARE: Emergency medical care is available 24 hours a day and staff personnel have been trained to respond to these emergencies in a highly skilled manner.

3) INPATIENT FACILITIES: There are inpatient facilities available in the institution's infirmary where inmates who are not requiring intensive hospitalization may be kept for a short period of time. Treatment in this area includes post operative recovery, long term illness treatment and convalescence from injury. Inmates who require medical isolation will have nightly showers, exercise and a ten (10) minute phone call.

4) MEDICATIONS: All medications must be prescribed and/or approved by the facility's doctor. Each inmate is responsible for reporting to the appropriate area at the direct time to receive the medication.

Medication will be administered to the inmate one dose at a time: the substance will be consumed immediately in the presence of medical personnel. If asked by medical personnel to check your mouth after being administered medication, you are to do so immediately, if you refuse, you will be issued a misconduct. Hoarding of medication is not permitted and violations will result in disciplinary action. Inmates who bring in their own medication should make arrangements to have the medication picked up within 3 days after incarceration. Any medication that is not picked up within 3 days will be destroyed. All over the counter medication requires a physician's order. The medical staff requires that inmates submit a sick call request and be evaluated until it's deemed an emergency.

5) MEDICATION TIMES: You and you alone are responsible for being present when medication is called at the following times: 8:00 A.M. 8:00 P.M. Or as prescribed.

These times are to be strictly adhered to. Any inmate who does not come out for medication at these times will have to wait until the next medication time, UNLESS IT IS DEEMED AN EMERGENCY.

6) HYGIENE/ SANITATION: Each inmate is responsible for reporting to the staff any cases of contagious disease , body/head lice, crabs, etc...

7) DETOXIFICATION: When it cannot be provided in a community health facility , detoxification from alcohol, barbiturates and similar drugs will be performed at the facility under supervision.

8) COSMETIC TREATMENT / PROSTHETICS: Cosmetic treatment, such as skin care, shall be the financial responsibility of the inmate. (Government assistance or private aid may be available).If such help is sought, an inmate may submit the request through the Medical Department. If determined by the facility doctor that an inmate's health would otherwise be adversely affected, a medical prosthesis will be provided.

MEDICAL SERVICES continued:

9) INFORMED CONSENT/MEDICAL WAIVER: All treatment by medical personnel pursuant to written standing or direct orders from the facility doctor. Moreover, all examinations, procedures and treatments are undertaken in accordance with informed constant standards. Consequently if an inmate wishes to refuse recommended care, he must sign a " medical waiver" releasing the Facility from liability. However, if an inmate is deemed not competent to render such a decision and poses a substantial threat to himself, other inmates, or staff, the facility doctor may then direct immediate treatment for the benefit of the inmate. It is important to realize that the institution does no engage in a medical research programs.

10) SPECIAL SHOES: Inmates are not permitted to wear their own personal shoes. It is the inmates responsibility to obtain high top sneakers from the Commissary if they cannot wear prison issue. The Medical Department will only provide specially made orthopedic footwear as ordered by the prison physician. Exception: If an inmate has shoes that have a prosthetic device that is built into the shoe, these are allowed.

11) Inmates who are issued durable goods, I.E. crutches, knee braces, canes, ace wraps, splints, tens units, o2 concentrators, basins, etc. will be required to sign a responsibility form. If the inmate damages or loses said items, the inmate will be financially responsible for this item.

12) Inmates are to return durable items as described in #11 to the infirmary staff prior to discharge from L.C.D.C.. **EXCEPTIONS-** Inmates with recent fractures or surgeries. Any inmate whose condition necessitates assistance or ambulation.

13) Work Release inmates are NOT permitted to seek medical services outside of the Luzerne County Division of Corrections medical services network.

EXCEPTIONS- A. Inmates injured at their work place. These inmates are to use workman's compensation provider. B. Court ordered. Any M.O. Female Work Release or release inmate who is prescribed a controlled pain medication must be housed in the main facility under supervision of the medical staff until condition does not require this medication. You can not be in an outside building while taking prescribed medication. The only exception is prescribed life sustaining medication.

14) Inmates that require medical isolation will have nightly showers, exercise and a (10) minute phone call.

OPTICAL SERVICES

Any inmate requesting optical services will be financially responsible for the cost of the eye examination and glasses if needed. Any inmate that is indigent will have their account placed on a cost recovery status. **EXCEPTION-**any inmate who has a diagnosed disease of the eyes. We do not provide contact lenses or contact solution. Solution can be purchased through the commissary. Contact lens solution from home is not permitted. Inmates are not allowed to have family bring in non- tinted prescription eyewear to family members that need repair.

Any inmate requesting glasses for reading purposes only may purchase these through the infirmary.

DENTAL SERVICES

Dental care is provided to each inmate under the direction and supervision of a licensed dentist. There will be a dental co-pay fee of \$ 5.00 for evaluation by the dentist and a fee of \$10.00 for each extraction if needed. The facility provides in remediating dental problems which cause physical discomfort (i.e. toothaches) to the inmate. Emergency treatment is provided on a routine basis. Routine preventative dental treatment (i.e. cleanings) is not provided nor is it available at the facility.

- 1) Cosmetic treatment such as tooth appearance and replacement is the financial responsibility of the inmate.
- 2) Prosthetic treatment (i.e. dentures and partials) is the financial responsibility of the inmate unless prior written approval is given.
- 3) Endodontic treatment (i.e. root canals) is the responsibility of the inmate.
- 4) Routine restorative treatment (i.e. permanent fillings/ restorations) is the financial responsibility of the inmate.
- 5) Each inmate is responsible for contacting the medical and/or dental section in the same manner as sick call via inmate request form.
- 6) All dental care will be administered by the attending dentist unless the necessary treatment is beyond the scope of his/her expertise. In that situation, referral to a dental specialist (i.e. Oral Surgeon) may be necessary.
- 7) Work Release residents holding community employment are financially responsible for dental consultation fees and outside treatment.

DEOXYRIBONUCLEIC ACID (DNA) REQUIREMENTS

In compliance with Pennsylvania law, the Luzerne County Division of Corrections will collect a sample of DEOXYRIBONUCLEIC ACID (DNA) from every inmate convicted of a felony prior to being released, furloughed, or placed on pre- release program. This process could delay your release or participation in the above mentioned programs. Due to the continuing changes to the law the facility will amend this policy to remain in compliance with the law at all times.

COUNSELING

There are counselors that are hired to work at this facility to benefit both the inmate population and staff of Luzerne County Division of Corrections. These counselors are here to benefit all of us and to help in any of our present problems and here to see that inmates get the proper plan developed for treatment services and follow up on any prior counseling.

PROGRAMS

Within our facility we have various activities which are set up for the benefit of our inmates. We have educational programs, A.E.P. & GED testing. Our Social Services consists of AA, NA, Court Advocate Program, drug and alcohol program, faith-based programs. We have the Work Release Program set up for inmates to work and/or train in vocational skills or to attend a local college or type of school in the area. To be eligible for Work/Education Release Program through the Luzerne County Division of Corrections an individual must be fully sentenced on all charges, detainers, or parole violations. They must have one half (1/2) of their minimum sentence or setback completed on all charges. They may not have any serious misconducts within the past three months (seriousness will be determined by the Work Release committee). To be considered for the work release program, contact your correctional counselor for an application.

PROGRAM SERVICES

The institution provides educational, vocational development and community support programs. These programs are important in improving the social and emotional health of inmates and the facility's adjustment to the community after release.

1) EDUCATION:

The Alternative Education Program (AEP) is available to inmates under the age of 21 who have not received a GED or High School Diploma. The program allows individuals the ability to work toward their High School Diploma.

GED Testing is offered on a case by case basis (if the individual demonstrates the knowledge needed to take the test). GED testing costs are the responsibility of the Inmate.

2) COMMUNITY SUPPORT: Community involvement, in the forms of programs such as Alcoholics Anonymous, Narcotics Anonymous, Wyoming Valley AIDS Council, First Steps, Providing Hope Ministries, Career Link, Victim's Resource Center, Domestic Violence Service Center provide needed support and helps to sustain inmate ties with the community.

3) DRUG & ALCOHOL: The facility provides drug & alcohol education services which are available to all inmates. A Drug & Alcohol group is offered to all housing units once per week and the Drug & Alcohol Therapist is available for one-on-one sessions as requested or needed.

4) COUNSELING SERVICES: The facility staff includes qualified counselors who can aid inmates with personal and family problems through support, guidance and professional assistance. Inmates are advised that the Luzerne County Division of Corrections, through its counseling services, has contacts with many public and private agencies to whom an inmate may be referred.

1) An inmate will be provided with counseling services upon submission of a request slip to the appropriate member.

2) A counselor, after consultation with the inmate, will determine the extent of counseling and treatment to be provided initially and as a follow-up.

5) CHAPLAIN'S OFFICE PROGRAMS: The Chaplain's Office provides various faith-based programs to inmates. If interested in participating in any faith-based program write to the Chaplain's Office.

6) MENTAL HEALTH SERVICES: Mental health services are available at the facility on an as needed basis. The mental health office provides inmates counseling as needed and medication monitoring. You can request to speak with a mental health therapist by sending an Inmate Request Form to the "Mental Health Department."

7) VICTIM SUPPORT SERVICES: The Victim's Resource Center provides one-on-one counseling to victim's of crime or sexual violence. If you would like a referral to a Victim Advocate you can request a referral through your corrections counselor or the mental health department.

8) AIDS/HIV TESTING: AIDS/HIV testing is done routinely by the Wyoming Valley AIDS/HIV Council. If you would like to be tested send a request slip to the facility Treatment Coordinator.

9) ALTERNATIVES TO INCARCERATION: Luzerne County has several programs available in lieu of incarceration. All information on these programs can be obtained via your Corrections Counselor and a binder containing all information on eligibility requirements, process to apply, and program structure can be found in the facility Law Library. You can request program applications from your Corrections Counselor.

10) FIRST STEPS: This program is for new parents and pregnant women. A counselor will work with you to provide counseling, information, and assistance to new parents and those expecting. If you would like a referral to First Steps write to the facility Treatment Coordinator.

FINANCIAL RESPONSIBILITY PROGRAM

PURPOSE:

To define the procedures that will be followed for deducting funds from the inmate's prison account for certain services provided for the jail and for restitution for inflicting injury upon another person or abuse of the Luzerne County Division of Corrections.

POLICY:

Inmates will be financially responsible for specific services, should they use them. All financial transactions will be made through the inmate account department.

Inmates will be held financially responsible for intentional misuse or abuse of correctional facility property, as well as for injuries inflicted upon themselves, other inmates, staff members, or civilians (while in the Luzerne County Division of Corrections). Inmates will be held responsible for a portion of their housing costs.

PROCEDURES:

1) Administrative Services Fees for Medical Care

SICK CALL- Inmates will be charged a \$5.00 administrative fee for medical evaluation by nursing staff. This fee partially defrays the administrative costs of screening for the use of non-essential services.

EXCEPTIONS FROM AN ADMINISTRATIVE FEE- No fees will be charged for initial commitment medical screening, psychiatric services, emergency services, or treatment for chronic illnesses. Fees, if any, for medical services that are disputed as "emergencies" will be assigned at the discretion of the medical department supervisor.-A twisted ankle from activities in the recreation yard is not an emergency and may result in a fee.-A cut requiring stitches would most probably qualify as an emergency which would not require a fee-Treatment provided as a result of behavior which is criminal or in violation of jail policy will require a fee.

DOCTOR'S CALL – Inmates referred to the doctor by the nursing staff, after initial diagnosis at "sick call", will NOT be charged a fee to see the doctor. Inmates who are not referred to the doctor by the nursing staff, but demand to see the doctor will be charged a \$10.00 fee for this privilege. (This fee will be reduced if the doctor determines that the inmate should have been initially referred).

MEDICATION – A co-pay will be charged for medication. Fees are determined by the Co-pay schedule.

Inmates will never be denied care because they cannot pay the administrative fees, or are indigent.

Inmates are required to sign a Medical Administrative Services Fee form whenever medical services are provided. If an inmate refuses to sign or initial the form, medical staff will complete the form. Appropriate fees will be deducted from the inmates prison account.

Medical Fee Billing

Medical staff will complete a Medical Administrative Service Fee when necessary. Medical staff will forward completed forms to the inmate account office.

Any fees will be deducted in full from the respective inmate account. If necessary, a negative balance will be applied.

2) Negative Account Balances

The conditions for collection of monies when negative balances exist are explained below.

20% of all funds deposited into an inmates prison account, regardless of the source, will be credited to a negative balance. The remainder will be credited to the inmates account for personal use. (This does not apply to room and board costs) Room and board will be collected at discharge, collection agency or other arraignments made after discharge.

At discharge any available funds from an inmate's prison account will be credited toward a negative balance prior to issuing a discharge check.

Negative balances after an inmates discharge will be made part of their permanent record. If an inmate is recommitted and has a negative account balance, 20% of all monies in his possession at the time of the commitment will be applied to his outstanding account balance.

Negative balances which remain after discharge will be turned over to a collections agency. Inmates are reminded that their primary financial obligation upon release is to pay their court cost, including victim restitution. Inmates may request temporary suspension of their payment obligations by contacting the Warden.

3) Work Release Monies

3.1 Inmates in the work release program will deposit all payroll checks into their work release account. These funds will be used to pay the items listed below. The list below is the priority in which the monies are to be paid out.

- A. A petty cash allowance for the inmate if needed (bus tokens, lunch money, gasoline for vehicle, etc.)
- B. A daily fee for room and board, for each day on the work release program . Upon discharge the inmate will be billed for the balance for any unpaid days on the program.
- C. Support payments as required by the Luzerne County Domestic Relations Department
- D. Fines and court costs, including victim restitution. A percentage of an inmates net earnings will be deducted and forwarded to the parole office.
- E. Any negative balance on the inmate's account.

3.2 Inmate payroll checks must be mailed directly to the inmate accounts office at the work release facility.

3.3 Luzerne County Work Release account staff will return the paycheck "stub" and a receipt describing fund allocation to the inmate.

4) Restitution for Damages and/or Injury

4.1 Damage To Correctional Facility Property- Inmates who have been found, as a result of disciplinary procedures, to have abused or misused facility property will be responsible for restitution for any damage. Restitution amounts for damage will be determined by the director of maintenance. A member of the misconduct board will complete a Restitution Expense Form and forward it to the inmate prison accounts office. 20% of all funds credited to an inmates account will be garnished until the expense is paid in full.

4.2 Injury Caused To Self Or Others- Inmates who inflict injuries to themselves, other inmates, staff members of the correctional facility, or civilians visiting the facility shall be held financially responsible for the full cost of medical care of the injured person(s) and any loss of wages incurred as a result of the injury. All reports of the injuries caused by an inmate will be forwarded to the warden's office by the deputy warden. This will be

based specifically on a misconduct report in which the inmate was found guilty by the hearing examiner. The Warden and support staff will review the report to determine if an inmate should be held financially responsible for any injuries. Upon determination of the warden and support staff that financial restitution is required, the inmate will receive a written notification of the findings and the amount of restitution owed.

Restitution for injury caused to self or others will be collected in the same manner as property restitution is collected.

Medical costs and loss of wages (for employees and visitors) which are covered and paid by any form of insurance will be collected, and these funds will be returned to the insurer. NOTE: all other financial responsibilities of the inmate must be satisfied prior to collection and return of the funds to insurers.

5) Room And Board Costs

5.1 All inmates sentenced to the Luzerne County Division of Corrections will be responsible for reimbursing the county for room and board costs.

5.2 All inmates who participate in the Luzerne County Division of Corrections Work Release Program will be responsible for reimbursing the county for room and board costs as detailed in section 4.

5.3 All inmates who are serving a parole violation sentence at the Luzerne County Division of Corrections will be responsible for reimbursing the county for room and board costs.

5.4 The room and board program is explained in this handbook. . Additionally, at the time of discharge each inmate will be reminded of this program. Prior to discharge from the Luzerne County Division of Corrections the inmate being discharged will be given a written synopsis of the program. The correctional facility will try to acquire an accurate mailing address for the inmate being discharged.

6) Payment Of Room And Board

6.1 Upon discharge, a sentenced inmate will be billed for each day he spent in the Luzerne County Division of Corrections. The inmate will be billed for every day spent at L.C.D.C. if he/she has received credit towards a charge in the Luzerne County: this will include pre- sentence time.

6.2 Any inmate wishing to voluntarily begin paying room and board costs during incarceration will be offered the opportunity to establish a payment plan. Inmates who hold a paid trustee position will be given the choice to:

A. Collect inmate pay, at the current rate or

B. Accept credit toward their room and board costs at a rate double their current pay.

6.3 Individuals who are committed and sentenced to the Luzerne County Division of Corrections for the first time after implementation of this program will be responsible for paying \$20.00 per day for room and board.

6.4 Individuals that are recommitted & sentenced to L.C.D.C. on new charges, having been discharged once, will be responsible for paying a daily room and board rate that is increased by \$5.00 for each new confinement period after the initial incarceration.

EXAMPLE: Having served an initial sentence under the reimbursement program for which the inmate was charged \$10.00 per day the inmate is released on parole. Six months later the inmate is sentenced on new charges and is confined once again to L.C.D.C. The new rate of room and board for this individual will be \$15.00 per day.

6.5 The total per diem rate for room and board will not exceed the average cost per day to house an inmate at the Luzerne County Division of Corrections.

7) Inmate Disciplinary Hearings

7.1 An administrative fee of \$5.00 will be charged to inmates that are convicted of institutional misconduct at a formal hearing.

7.2 Work Release misconducts based on drug analysis will result in an additional charge. This charge will be actual cost of drug screen testing.

7.3 A list containing the names of inmates who are convicted at formal misconduct hearings will be forwarded to the prison inmate accounts office by a designated board member. If the inmate appeals the board decision, the name will be forwarded by the appropriate counselor to the inmate prison account office if the appeal is denied.

8) Release Of Funds

8.1 Inmates will only be permitted to send money home to provide the support of their family. They **must** direct a family member to submit to the inmate prisons accounts staff a NOTARIZED affidavit confirming there relationship to the inmate. Luzerne County Division of Corrections will only allow one family member to be the recipient of these funds and his designation will be permanent.

8.2 After establishing the designated recipient of funds, the inmate shall submit a request form and an addressed envelope to the inmate prison accounts office fore every transaction that is requested.

8.3 Requests will be reviewed an acted upon on a weekly basis every Thursday

9) Exemptions

10) Act 84 Deductions

Act 84 of 1998, often referred to as the inmate restitution and information bill, was signed into law by Governor Ridge on June 16, 1998. The act became effective on October 16, 1998.

Act 84 is court ordered restitution, reparation, fees, fines, costs and penalties. If an inmate falls under Act 84, twenty percent (20%) of any money that is put on their commissary account will be deducted and sent to county probation or any other agent designated by the County Commissioners of the county with the approval of the county with the approval of the President Judge of the county. In accordance with section 9730.1, the collection of restitution, reparation, fees, costs, fines and penalties may be referred to private collection agency.

DISCIPLINE

Confinement is punishment: therefore, no further punishment is permitted unless the inmate violates the rules and regulations of the institution or violates the law. Facility rules are designed to prohibit behavior that can be shown to have a direct adverse effect on an inmate or on good order in the facility. The objectives of the institutional discipline include:

- 1) To achieve order, safety and security in the institution.
- 2) To assist an inmate in achieving self-control.
- 3) To provide staff with guidelines for judging the behavior of inmates.
- 4) To achieve fairness in the administration of discipline.

INMATE DISCIPLINARY AND RESTRICTED HOUSING PROCEDURES

Institutional life shall be governed by standards of behavior designed to promote correctional objectives and to maintain the general welfare of the institution's community. The Laws of the Commonwealth, the rules and regulations of the Bureau of Corrections and this institution are a part of the standards of behavior governing each institution.

Discipline for behavior which deviates from standards shall be handled by the staff in the manner prescribed by this directive. Such behavior shall be evaluated within the context of the correctional plan of the individuals. The effect of such behavior on others and its consequences for the good order of the entire institution.

DEFINITIONS:

For the purpose of this directive, the following directives shall apply:

- 1) *Administrative Custody*: housing status which provides closer supervision, control and protection than is generally provided in general population status, for non-disciplinary reasons.
- 2) *Disciplinary Custody*: A housing status, to which inmates are found guilty of Class 1 Misconducts may be committed.
- 3) *Security*: A housing status whereas an inmate has become or is a security problem.
- 4) *Suicide Security*: A housing status in which an inmate is housed because of a mental instability.

If found guilty by the Hearing Examiner and placed in disciplinary custody, floor Lock-up, RHU the inmate will have five (5) days exercise, one (1) hour Monday through Friday. All communication must be via the U.S. Postal Service unless an emergency is authenticated by a counselor or is legally necessary.

Inmates in administrative custody or protective custody will be allowed 1 call per day Mon-Fri. through the block phone system.

Inmates in Suicide Security will only make phone calls as approved by the Psychology Department.

-If you are found guilty of any class misconduct, you will be denied a furlough for a minimum of six months.

6) Misconduct Procedures:

A) Inmates charged with any of the listed violations will be given advanced written notice of the claimed violation-not less than twenty-four (24) hours prior to the scheduled hearing. This hearing shall not be scheduled prior to the 24 hours or more than seven (7) working days, excluding weekends and Holidays after notice of charges are served. This excludes cases under investigation or delay due to reason beyond the control of the facility.

B) At the hearing, the charges will be read to the inmate. The Hearing Examiner will request the inmate's plea to each individual charge. The inmate will submit a written version or may orally present his/her version which shall be summarized as part of the record of the hearing.

C) If an inmate pleads not guilty, he/she may request witnesses. The Examiner will restrict the number of witnesses (to keep the hearing within limits). This facility allows up to three relevant witnesses. Relevancy is to be determined by the Hearing Examiner.

D) If an inmate is found guilty, a written statement of a fact finder as to the evidence relied upon and the reason for the disciplinary action will be presented to the inmate.

E) If an inmate pleads not guilty and is found guilty, the inmate has the right to an appeal. Request for an appeal must be given orally to the Hearing Examiner prior to leaving the hearing.

NOTE: A preponderance of evidence is the amount of evidence necessary to convict an inmate of misconduct charges. i.e. If less 51% of the evidence establishes guilt while 49% of the evidence establishes innocence, the inmate will be found guilty since the preponderance of evidence points to his/her involvement in the misconduct.

CLASS 1 MISCONDUCT CHARGES

1) Any felony, misdemeanor or summary offense.

2) Escape.

3) Possession of contraband including money, implements of escape, unprescribed drugs or drug which are prescribed but the inmate not authorized to possess, drug paraphernalia, poisons, intoxicants, materials used for fermentation, property of another, incendiary devices, tobacco. When an inmate is charged under this section with possession of an item of contraband, which is a weapon or item which in his hands presents a threat to others or to the security of the institution, 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 shall be considered to mitigate the misconduct to a Class II.

4) Kidnapping, taking hostage or holding any person against his/her will.

5) Destroying, altering, tampering with, or damaging property.

Restitution for damages- Inmates who have been found as a result of disciplinary procedures to have intentionally abused or misused prison property shall be responsible for restitution for damages.

The disciplinary Hearing Examiner shall complete a restitution expense form and forward the completed form to the commissary for adjustment of inmate's account. Funds may be deducted until restitution has been made. The extent of the damage and the cost of the repair shall be established by the prison's Maintenance Supervisor and Warden.

6) Wearing a disguise or mask.

7) Engaging in sexual acts with others, sodomy.

8) Indecent exposure.

9) Engaging in or encouraging any group activity without prior approval of the Wardens or designee.

10) Disruption or interference with the security or orderly running of the institution.

11) Failure to stand count, interference with the count.

12) Bribery.

13) Threatening another inmate or other person with bodily harm, or with any offense against his person, family or property.

CLASS 1 MISCONDUCT CHARGES CONTINUED:

- 14) Extortion, blackmail, protection, demanding or receiving money or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing.
- 15) Assault or fighting.
- 16) Adulteration of any food or drink
- 17) Refusing to obey an oral or written order.
- 18) Refusing to work or encouraging others to refuse to work.
- 19) Unauthorized use of dangerous or controlled substances.
- 20) Violating a condition of Pre-Release Program.
- 21) Breaking restriction or quarantine.
- 22) Possession or consumption of intoxicating beverages.
- 23) Making fermented beverages.
- 24) Lying to an employee.
- 25) Gambling or conducting a gambling operation or possession of gambling paraphernalia.
- 26) Unauthorized use of mail or telephone.
- 27) Conduct in violation of posted regulations.
- 28) Presence in an unauthorized area.
- 29) Loaning any property for profit.
- 30) Using abusive or obscene language to an employee.
- 31) Violation of Administrative Directives not specifically enumerated above.
- 32) Possession or circulation of a petition.
- 33) Repeat Class II Misconducts
- 34) Conspiracy to commit any Class I or Class II Misconducts.
- 35) Failure to report presence of contraband.
- 36) Hording of materials, keeping excessive amounts of materials used for trading borrowing or resale (i.e. running a store).
- 37) Setting a fire: threatening to set a fire.
- 38) Counterfeiting, forging, or unauthorized reproduction of any document.
- 39) Gang markings, graffiti of any kind is strictly prohibited.

CLASS II MISCONDUCT CHARGES

- 1) Body punching, horseplay.
- 2) Taking unauthorized food from dining room, kitchen or officer's mess.
- 3) Tattooing or other forms of self-mutilation.
- 4) Failure to report to work or unexcused absence from work.
- 5) Loaning or borrowing property except legal material.
- 6) Failure to follow safety and sanitation regulations regarding the inmate's person, quarters or equipment.
- 7) Possession of any item not authorized for retention or receipt by the inmate not specified enumerated as Class I contraband -#3. Existence of Class I contraband- mitigating factors established as per #3.
- 8) Any violation of any rule or regulation contained in the Inmate Handbook or Institutional Supplement not specified enumerated above.

Any attempt to commit any of the forgoing misconducts is a misconduct of the same class as the completed offense would be.

MISCONDUCT LOCK-UP INFORMATION

When you are placed in misconduct lock-up, you must surrender your television and radio to a correctional officer. It will be returned to you when you are released from lockup. You must order from a limited commissary slip i.e. no cupcakes, candies, pies, etc. only hygiene items will be allowed. Any commissary food items that were previously purchased will be surrendered to a correctional officer prior to being placed in your cell. You will have five (5) days to have them picked up by family/friends. They will be destroyed after five days. Your visiting privileges will **not** be eliminated. Visiting will correspond to the floor and block you are housed on. You will not have access to the block phone and recreation will be limited to one (1) hour, five (5) days a week, as stipulated by the Hearing Examiner. As part of the inmate financial responsibility program, you will be charged five (\$5) dollars if/when you are found guilty of a misconduct.

Inmates in lockup will have their file reviewed by a counselor once every five working days. Inmates in misconduct lockup may submit request to their correctional counselor in the same manner as general population inmates.

Release on half-time will no longer be granted on misconducts.

WORK

- 1) Refusal to work is a misconduct.
- 2) Inmates who are able to work shall be assigned jobs within the institution when available.
- 3) Those who are assigned or who work irregular hours will be permitted recreation activities at a designated area.
- 4) Each inmate working shall be expected to carry his or her own share of the job and carry out any task assigned.
- 5) No inmate shall leave the place of work without authorization from the work shift supervisor or without a pass properly signed by the supervisor.

PERSONAL PROPERTY

Each inmate will be responsible for their own personal property in their possession. The institution will not be responsible for any articles lost or stolen. When transferring from one facility to another, all property will be inventoried and packaged by the inmate in the presence of an officer. Both will sign the inventory sheet and the sheet will be put in the inmate's jacket.

If you are being transferred to another institution, and you have decided to leave behind your personal articles, you must have them picked up within seven (7) calendar days or clothing will be sent to the Luzerne County Storage Garage.

DISRUPTIVE BEHAVIOR

No inmate shall in any manner impede or obstruct or handicap another inmate in performing his/her duties nor engage singularly or in concert with others in action of conspiring to escape, riot or disrupt normal institutional routines nor detain or hold as hostage any person.

LAWS

As you are aware, all laws of the Commonwealth of Pennsylvania are just as applicable to life within the institution as they are to as life on the streets and criminal prosecution can be instituted against you if you choose to violate any criminal status.

For your information, there are additional statutes that are directly related to your conduct because of the fact of your conviction or incarceration. These include:

- 1) **ESCAPE**: (18 PA C.S. SECTION 5121) which is unlawful removal of yourself from an official detention or the failure of the official detention following an unauthorized temporary leave. It is punishable by a sentence by up to seven (7) years if you are detained on a charge constituting a felony or if you have been convicted of a crime.
- 2) **WEAPONS OR IMPLEMENTS OF ESCAPE**: (18 PA section 5122) which is the procuring, manufacturing or possessing of any weapon or tool, implements or other things which may be used for escape. The introduction of an implement of escape into a correctional facility and the procuring, manufacturing or possessing of a weapon is punishable by a sentence of up to five (5) years. The procuring, manufacturing or possessing of an implement of escape is punishable by a sentence of up to two years.

LAWS CONTINUED:

3) CONTRABAND: (18 PA C.S. section 5123) which is an introduction into a institution of any kind of spirituous or fermented liquor, drugs, medication, poison, opium, morphine or any kinds of narcotics which are written permit signed by a physician of the institution has not issued. This is punishable by a sentence of up to five (5) years.

4) ASSAULT BY PRISONER: 18 PA C.S. section 2703) which is the intentional commission of an assault of another with a deadly weapon or instrument or by means of force likely to produce serious bodily injury. This offense is punishable by a sentence of up to ten (10) years.

5) BRIBERY ON OFFICIAL OR POLITICAL MATTERS: (18 PA C.S. section 4701) which offering or conferring or agreeing to confer upon another to benefit as consideration to a decision by a public servant or for violation of known legal duty on a public servant. This offence is punishable by a sentence of up to seven (7) years.

6) THREATS AND OTHER INFLUENCES IN OFFICIAL AND POLITICAL MATTERS: (18 PA C.S. section 4702) which is threatening unlawful harm upon any person with the intent to influence his decision as public servant or to influence him to violate his known legal duties. This offense is punishable by a sentence of up to two years unless the threat to commit a crime, in which case, it is punishable by a sentence of up to seven years.

7) RIOTS: 18 PA C.S. section 5501) which is the participation with two or more individuals in a course of disorderly conduct with the intent to 1) commit or facilitate commissions of a felony or a misdemeanor, 2) to prevent the coerce official actions or 3) when you or anyone is participating to your knowledge uses or intends to use a firearm or other deadly weapon. This offence is punishable by a sentence of up to seven years.

8) KIDNAPPING: (18 PA C.S. section 2901) which is the removal of another substantial distance from where he or she was found or the unlawful confinement of other for a substantial period in a place of isolation with the intent to 1) hold for ransom, as a shield or hostage, 2) to facilitate the commission of a felon or flight thereafter, or 3) conflict bodily injury or terrorize the victim or another, or 4) to interfere with the performance by public officials is punishable by a sentence of up to twenty (20) years.

9) ARSON: (18 PA C.S. section 3301) which includes the intentional starting of a fire or causing of an explosion, 1) thereby recklessly placing another person in danger or bodily injury, or 2) with the intent of destroying a building or occupied structure of another. Recklessly placing another in danger of death or bodily injury, arson is punishable by a sentence of up to twenty (20) years. Arson with the intent of destroying a building or occupied structure of another is punishable by a sentence of up to ten (10) years.

10) CRIMINAL MISCHIEF: (18 PA C.S. section 3304) which includes the damage of tangible property of another intentionally, recklessly or by negligence in the employment of fire, explosion, or other dangerous means. If the pecuniary loss is intentional caused and the value was less than \$5,000.00 and not more than \$1000.00 and more than \$500.00, or if it is negligently caused, it is punishable by a sentence of up to ninety (90) days.

11) INVOLUNTARY DEVIATE SEXUAL INTERCOURSE :(18 PA C.S. section 3121) which includes deviate sexual intercourse with another: by forcible compulsions, threats or forcible compulsions, upon an individual who is unconscious, which is punishable by a sentence of up to twenty (20) years. If any acts constituting a crime in Pennsylvania are committed against you by anyone, elect to press charges against the individual(s). If such an act occurs, it is your duty to notify the staff of the institution so that they may take whatever action they deem appropriate.

LAWS CONTINUED:

Also be advised that any act constituting a crime may be handled as a misconduct in this institution. Disciplinary action may be taken in addition to criminal prosecutions. During type of crime or misconduct with the institution, there is always an internal investigation. In the event of legal problems or a crime dealing with any of the crime codes in Pennsylvania the local police department and Luzerne County Division of Corrections Officials will do an investigation.

2793.1 AGGRAVATED HARASSMENT BY PRISONER.:

A person who is confined or committed to any local or county detention facility, jail or prison or any State penal or correctional institution or other State penal or correctional facility located in this Commonwealth commits a felony of the third degree if he, while so confined or committed or while undergoing transportation to or from such an institution or facility in or to which he was confined or committed, intentionally or knowingly causes or attempts to cause another to come into contact with blood, seminal fluid, saliva, urine or feces by throwing, tossing, spitting or expelling such fluid or material.

SEARCHES OF INMATES AND CELLS

1) PURPOSE

The introduction and presence of unauthorized weapons and other contraband present serious threats to the security and property management of a correctional facility. Therefore, all persons and property coming into, leaving or present on the Luzerne County Division of Corrections property are subject to search at any time. Searches will be conducted in a reasonable manner so as to avoid embarrassment to the person searched and to protect the property searched. Searches will not be conducted for the purpose of harassment or punishment.

2) CONTRABAND

A) Any contraband discovered on the grounds of this institution is subject to immediate seizure.

B) It is the responsibility of each inmate and staff member to become familiar with the restrictions upon property permitted for inmates.

3) SEARCHES OF INMATE'S CELLS

A) GENERAL GUIDELINES FOR ALL CELL SEARCHES:

1) Personnel conducting the search will not subject the cell or housing quarters to purposeful or unnecessary disruption.

2) During the search, all precautions will be taken to avoid damage to any items. If television sets, radios or other appliances become suspect as a storage area for contraband and cannot be readily inspected, assistance may be requested from the Maintenance Department to gain access and minimize the chance of damage to the item or injury to ones self.

3) Any item which is contraband or evidence of a crime or misconduct may be confiscated.

4) When there is excessive personal property in a cell, the inmate owner may designate to who such items are to be shipped; the inmate will pay the shipping cost. If this is not possible, such items will be removed and the inmate provided a copy of a written list of the items and their disposition. Confiscated money will be deposited in the Inmate General Welfare Fund. Excessive County issue items will be confiscated by the institution for appropriate disposition.

5) To minimize the possibility of an inmate's radio or television being lost or stolen, the Institution provides a means to engrave the items with the inmate's committed name. Due to the variations in design of these items,

engraving will be placed at a readily visible location on the back of the item; they will be confiscated until proper ownership can be determined.

6) Internal logs, forms, etc., for the scheduling and recording of searches of cells may be utilized. Whenever an item is confiscated, a receipt will be issued to the inmate from who the property is confiscated.

7) Confiscated property will be placed in a separately secured area until final disposition is made.

B) PRESENCE OF INMATE CELL SEARCHES:

1) The inmate is permitted to be present whenever his cell is searched UNLESS the ranking officer conducting the search determines: 1) the presence of the inmate would present an immediate threat to the security of the institution; 2) the search is being conducted under emergency conditions; 3) the inmate's presence will impair an ongoing investigation of criminal activity or violation of institutional regulations. Such determination by the ranking officer will be writing, setting forth the factual basis for this determination.

2) The inmate shall at the time of notification be given the option of remaining during the search.

a. An inmate whose cell has been randomly chosen will be asked to sign a record to show that he was present during the time of the search or if chooses not to be present to show that he wishes not to be present.

b. If an inmate refuses to sign the record, his refusal will be noted on the record by the Officer.

C) RANDOM CELL SEARCHES:

1) Random searches may be conducted at any time except one hour after the institution is locked up for the evening unless an emergency is declared by the Director of Corrections or Warden.

2) The inmate whose cell has been randomly been chosen will be notified by the block officer before the search.

3) Any materials taken during a cell search shall be duly taken on a receipt and a copy supplied to the inmate.

D) **INVESTIGATIVE CELL SEARCHES:** For the purpose of this directive, an investigative cell search is any search other than a random search and general search after an unusual incident. Absent exigent circumstances, approval for investigative searches will be requested in advance by a ranking officer.

E) **SECURITY INSPECTIONS OF INMATE CELLS:** Security inspections of inmate cells are not searches and are conducted from Section III of this directive. They may be conducted by institutional personnel for health, safety, and security reasons. A security inspection may include observation and testing of the structural components of the cell, such as doors, windows, bars, electrical fixtures and plumbing. Inmate's personal property will not be searched or distributed during a security inspection except to the extent necessary to gain access to the structural components of the cell. A record of the location of the cells inspected and the name of the staff member who conducted the inspection will be entered in the cell block log.

F) **CELL INSPECTION UPON DISCHARGE OF INMATE:** An inspection of an inmate's cell should be made prior to inmate's discharge and any intentional damage caused by the inmate to prison property in cell will be deducted from Inmate's account. Prison Supervisor of Maintenance and Warden will establish cost. If damage exceeds inmate's account, legal action can be instituted in Luzerne County Court for remaining restitution.

G) **GENERAL SEARCHES:** After an unusual incident, the Warden of the institution or his designee may order a general search of the institution property. Cell searches conducted under these conditions are subject under the provision of Section III A and B. Such searches will be reported to the Commissioner of Corrections.

H) SEARCHES OF OTHER AREAS OF THE INSTITUTION PROPERTY:

Searches of areas of the institution other than inmate cells may be ordered at any time. Inmates have no right to be present during the searches of these areas.

I) SEARCHES OF INMATE'S PERSON:

A) GENERAL GUIDELINES: Non-contact and frisk searches may be conducted in an area of the institution by authorized personnel of either sex. They will be conducted in a professional manner with tact and proper attitude displayed.

B) FRISK SEARCHES: The following procedure shall be utilized in conducting a full frisk search:

THE INMATE WILL:

1) Remove all items from pockets and place them in a hat or on a shelf, desk or other suitable place. They should be placed in an area away from the inmate. These items will be examined to determine if they are contraband in an area away from the inmate.

2) Stand still with feet apart and arms extended outward.

C) STRIP SEARCH:

1) A strip search may be conducted when necessary for the security and good order of the institution, including the following situations:

a) Before and after contact visits.

b) Upon an inmate's return from outside activities, supervised outside leave and furloughs.

c) Upon reception, return from court and return after inmate has left the institution reservation for any other reason.

d) Following activities where the inmates have the opportunity to mingle with outside groups, particularly where there are large numbers of people under minimal supervision.

e) Periodically for inmates who are permitted to move in and out of the gate area.

f) When there is reason to believe that an inmate is in an escape plot or in possession of contraband.

g) When an inmate enters or leaves any restricted area.

2) Strip searches should be conducted in an area separate from other inmate's and to assure privacy and minimum embarrassment. Absent exigent circumstances, female inmates shall be searched by female correctional personnel and males, by male correctional personnel. The staff person conducting the search will avoid touching the inmate except as required to control the inmate. The search shall be conducted in a tactful, professional manner.

1) The staff person conducting the search will:

a) Have the inmate remove all clothing.

b) Examine inmate's head. Fingers or a large wide-toothed comb may be run through the hair.

c) Using a flashlight, look behind the ears, into the mouth, under the tongue and nostrils.

d) Request inmate to lift arms and then carefully examine armpit area.

e) Request the inmate to open hands and carefully examine backs, palms and between fingers.

STRIP SEARCH CONTINUED:

f) Look over inmate's body. If pieces of tape or bandages are present, have the inmate remove them and replace them with fresh ones. (remove and replacement by medical staff when originally applied by medical staff, wherever practicable).

g) Using a flashlight, examine inmate's groin area.

h) Require inmate to turn around, bend over and spread buttocks. Then with a flashlight, examine buttocks for contraband.

I) Require inmate to lift their feet so that the soles and between the toes can be carefully examined.

j) Carefully search each item of clothing before it is returned to the inmate or placed in storage.

D) INTERNAL EXAMINATION OR SEARCH: Internal searches of body cavities may be conducted only by a medical doctor within the confines of the institution infirmary or hospital.

9) RIGHTS UNDER THIS DIRECTIVE: This directive sets out policy and procedure. It does not create rights in any person nor should it be interpreted or applied in such a manner as to abridge the rights of any individual. The directive should be interpreted to have the sufficient flexibility to be consistent with the law and to permit the accomplishment of the purpose of the directives and policies of the Luzerne County Division of Corrections.

MOVEMENT WITHIN THE INSTITUTION

Inmates who are leaving their housing units and are to go to the clergy, counselor or library, schools, visiting room, court, barber shop, etc. , will have to have a pass and inmate I.D.. Anyone caught without a pass in a restricted area or being somewhere the pass does not allow, will be subject to disciplinary measures. If you do not have an I.D. you will be instructed to return to your assigned block. If you feel you are in a restricted area or you have for some reason lost your way, you will be responsible to approach an officer either in a control area or in a hallway and ask him for directions.

ISSUE OF CLOTHING TO NEW MALE COMMITMENTS

- 3 UNDERWEAR
- 3 PAIR OF SOCKS
- 1 PERSONAL CARE PACKAGE (SOAP, COMB, TOOTHBRUSH)
- 2 PAIR OF PANTS (GREEN)
- 2 SHIRTS (GREEN)
- 2 SHEETS
- 1 PILLOW
- 1 PILLOWCASE
- 1 TOWEL
- 1 BLANKET
- 1 BLUE JACKET
- 1 PAIR OF SNEAKERS
- 1 PLASTIC CUP
- 1 GRAY TRUNK

Make sure all clothing articles are to be marked (LCDC) with a black magic marker. This magic marker is never to leave the booking area. No plastic bags are to be handed out with these items.

Any damaged items or items not turned in will become the financial responsibility of the inmate.

ISSUE OF CLOTHING TO NEW FEMALE COMMITMENTS

- 3 UNDERWEAR
- 3 PAIR OF SOCKS
- 2 BRAS
- 1 BLANKET
- 1 PAIR (TENNIS –SHOES)
- 2 PAIR ORANGE PANTS
- 2 ORANGE SHIRTS
- 1 CUP
- 1 TOWEL
- 1 CARE PACKAGE
- 1 BLUE JACKET
- 1 GRAY TRUNK
- 2 SHEETS
- 1 PILLOW
- 1 PILLOW CASE

CURRENT RELIGIOUS SERVICES

Religious services are offered on a regular basis. Announcements will be made on the blocks prior to services and sign-up sheets may be required to attend said services.

Clergy who are approved by the Chaplain's Office are able to provide visits.

The religion noted at the time of commitment will be the religion honored by the facility. If you would like to change your religious preference during your incarceration you must submit a written request to the Warden.

PAYING JOBS

You will submit your name in writing to the Correctional Counselors. The Correctional Counselor will check your entire prison record, submit your name, and prison record to the Captain for approval. Block monitors shall not listen to radios while on duty.

TRUSTEE JOBS

Inmates who would like to be trustee workers must submit an Inmate Request Form to the Warden for approval.

GRIEVANCE PROCEDURE:

The formal system for handling inmate grievances, except matters relating to misconduct procedures or pre-release procedures, which have a built-in appeal procedure. It is stressed that all efforts should be made to resolve and/or address any particular issue through normal facility procedures before resorting to the grievance system. The grievance response may be in fact direct you to consult with staffs, who routinely consider such matters if this has not already been accomplished. Grievance forms are available upon request from the block officer.

* The grievance system is not a form for inmate request and shall not be used as such. Inmate request forms are available upon request from the block officers.

SCHEDULE – A

ADMINISTRATIVE SERVICE FEES FOR MEDICAL CARE

SICK CALL:

Inmates will be charged \$5.00 administrative fee for a medical evaluation by nursing staff. This fee partially defrays the administrative costs of screening for the use of non-essential services.

DOCTORS CALL:

Inmates referred to the doctor by the nursing staff, after initial diagnosis at "sick call" will not be charged a fee to see the doctor.

Inmates who are not referred to the doctor, after initial screening by the nursing staff, but who deemed to see the doctor will be charged a \$10.00 fee for this privilege. (This fee will be refunded if the doctor determines that the inmate should have been initially referred)

MEDICATION:

There is a co-pay fee for certain prescription medication and OTC drugs. There is no co-pay fee for life – sustaining medications.

EXCEPTIONS FROM AN ADMINISTRATIVE FEE:

No fees will be charged for initial commitment medical screening, psychiatric services, emergency services, or treatment of chronic illnesses.

Fees, if any, for medical "emergencies" will be assigned at the discretion of the medical department supervisor. Some examples are listed below:

- * A twisted ankle from activities in the recreation yard is not necessarily an emergency and may result in a fee.
- * A cut requiring stitches would most probably qualify as an emergency which would not require a fee.
- * Treatment provided as a result of behavior which is criminal or in violation of jail policy will require a fee.

Inmates will never be denied medical care because they cannot pay the administrative fees, or are indigent.

Inmates are required to sign a "Medical Administrative Service Fee" form whenever medical services are provided. If an inmate refuses to sign or initial the form, medical staff will complete the form and any fees will be deducted from the inmate's account.

MEDICAL FEE BILLING:

Medical staff will complete a "Medical Administrative Service Fee" form when necessary.

Memo

To: All persons under Luzerne County DOC Custody
From: PREA Coordinator
Re: Inmate/Offender Hotline

The Luzerne County Division of Corrections is committed to the promotion of safety and security for all inmates/offenders and staff. This means an environment safe from sexual abuse, discrimination, harassment, physical harm and threats.

All persons under Luzerne County DOC Custody will have the right to contact the hotline for the purpose of bringing serious concerns or complaints regarding themselves or others. All persons housed in Luzerne County DOC will have access to this dedicated phone line when they are given access to the unit phones.

Complaints will be referred to the designated authority so that an investigation may be conducted regarding the concern, complaint or allegation if appropriate. If you chose to intentionally provide a false statement of sexual abuse against an inmate/offender or staff you may be charged criminally.

The phone line will not replace the standing grievance process currently in place. Please continue to use the grievance process as you have in the past. Complaints regarding matters that are normally addressed by the grievance process will not be addressed through this phone line.

Examples of APPROPRIATE calls:

- Forced, romantic, sexual or inappropriate relationships on the part of an inmate/offender, staff, contract employee or volunteer.
- Any incidents of sexual assault or sexual abuse.

Phone Instructions:

Victim's Resource Center Hotline

1-866-206-9050

LUZERNE COUNTY DOC PREA Hotline

570-270-0992

If you have any questions regarding this phone line please ask your counselor or a corrections officer. Thank You.

ALL ABUSES OF THESE HOTLINES WILL BE INVESTIGATED!

Prison Rape Elimination Act

The Luzerne County Division of Corrections (DOC) is committed to the safety of any individual in Luzerne County DOC custody. Luzerne County DOC has a zero-tolerance policy for sexual abuse involving inmate-on-inmate behaviors and staff-on-inmate behaviors. Luzerne County DOC will respond to all reports of sexualized behaviors or abuse as nonconsensual, regardless of perception, rumor, appearance, or participant disclosure.

PROCEDURAL GUIDELINES

1) General Overview

- a) Luzerne County Division of Corrections staff will respond to, investigate and support the prosecution of sexual abuse within the Luzerne County Division of Corrections and externally in partnership with law enforcement.
- b) Inmates are encouraged to report all allegations of sexual abuse and/or sexualized behavior having occurred or occurring in a correctional institution. Access to services for the inmate victim of sexual abuse will not be dependent on the victim's willingness to report allegations or provide testimony. In large measure, however, reporting of alleged sexual abuse by inmates is critical to the timely delivery of necessary services to the victim and to holding perpetrators accountable and less likely to reoffend. All such reports will be investigated within the limitations of information provided and the willingness of inmates and/or others to provide testimony. When the victims of a PREA incident can be identified, the victims will be offered access to necessary services available through Luzerne County DOC and its community partners.

2) Classification and Housing

- a) When a PREA incident had occurred or is alleged to have occurred, Luzerne County DOC's priorities are safety and security for the victim, the general inmate population, the perpetrator and the institution. It may be necessary to separate the involved inmates to prevent further victimization or retaliation.
- b) Intake
 - i. All inmates will be assessed at intake to determine whether they meet specific criteria indicating either likelihood of victimization or predatory behavior.

3) Reporting

- a) Inmates can report sexual assault, sexual harassment, or sexual abuse in one of the following ways:
 - i. Report incident to an officer or supervisor
 - ii. Write to the PREA Coordinator via "In House Mail"

- iii. Utilize the inmate hotline from the block phones
- iv. Contact Victim's Resource Center from the block phones.
- b) Staff must report incidents of sexual assault, sexual harassment, or sexual abuse to their supervisor immediately.
 - i. All reports of sexual abuse, sexual assault, or sexual harassment will be reported regardless of whether they were made verbally, in writing, or anonymously from third-parties.
 - ii. Staff will maintain inmate's privacy by reporting and addressing all incidents or accusations privately and professionally.
- c) Inmates detained solely for civil immigration purposes can:
 - i. Utilize all reporting methods offered to all inmates.
 - ii. Will receive contact information for relevant consular officials and relevant officials of the Department of Homeland Security by way of the "Notification of Consular," and copy of the "I.C.E. Detainer."
- d) Retaliation
 - i. The Luzerne County Division of Corrections will make all efforts to protect all inmates and staff that report sexual abuse, assault, or harassment or cooperate with a sexual abuse, assault, or harassment investigation from retaliation by other inmates or staff.
 - ii. Any incidents of retaliation will be addressed by the PREA Coordinator and may result in in-house disciplinary action and/or criminal charges.
- e) False Reports
 - i. In all incidents where reports of sexual abuse, sexual assault, and sexual harassment are made in bad faith, the individual reporting will be subject to internal disciplinary actions and or criminally charged.
- f) Reporting Responsibility After Incident Investigation
 - i. The PREA Coordinator will follow-up with all victims following the investigation to notify the victim of the determination of the investigation and the process.
 - ii. The PREA Coordinator will provide regular updates to the victim until the incident is fully prosecuted.

4) Reporting and Investigating Staff-on-Inmate Incidents

Inmates under the custody of Luzerne County DOC are never regarded as being able to consent to any kind of relationship with staff. No matter who initiates the contact or how "consensual" the relationship is, relationships between staff and inmates are an abuse of power by staff. All incidents, regardless of time frames, must be reported immediately and will be investigated. Staff perpetrators or individuals intentionally making false allegations will be held accountable through internal and external systems.

5) Criminal & Administrative Agency Investigation

- a) When a PREA incident occurs the Luzerne County District Attorney's Office will be contacted by the PREA Coordinator.
- b) The initial investigation will be conducted by the PREA Investigators.
- c) Evidence collected, statements, and reports will be turned over to the District Attorney's Office.
- d) The facility PREA Investigators will continue to work collaboratively with the District Attorney's Office until the investigation is complete.

6) Medical Care

All inmates who have been sexually assaulted will have the option to receive a sexual assault examination on-site, by a qualified Sexual Assault Nurse Examiner if available, or be sent to the Emergency Room for the examination. All sexual assault examinations are provided free of charge to the inmate regardless of where the exam takes place. All inmates have the right to refuse a sexual assault examination.

7) Support Services

- a) Following a report of a sexual assault, abuse, or harassment inmates will be offered victim's services, medical treatment, and mental health treatment.
- b) All inmates will be provided with the contact information for Victim's Resource Center. By utilizing the block phones, inmates will be able to contact Victim's Resource Center at any time.
- c) All other requested support services will be arranged if determined to be appropriate by the facility's Treatment Coordinator.

8) Rights and Responsibilities

- a) Inmates:
 - i. Have the right to serve their incarceration free of sexual abuse
 - ii. Have the right to be free from retaliation, whether victim, perpetrator, or reporter, from the perpetrator or others, beginning when the allegation is made until the threat has passed as determined through the investigation process, to the degree possible within limited resources and applicable laws.
 - iii. Have the right to access medical and mental health services if they have been victimized.
 - iv. Have the right to be notified that the information of alleged sexual abuse reported to a Luzerne County DOC staff person will immediately be reported to a Shift Supervisor or above;
 - v. Have the right to be informed by all Luzerne County DOC staff/contractors of any limits to confidentiality prior to conducting any interview with a perpetrator or victim;

- vi. Have the right to access treatment resources regardless of their willingness to disclose information relevant to the investigation, whether a victim or perpetrator.
- vii. Have the right to be assured that information obtained through the investigation is only shared with staff who are involved in the investigation or case management of the involved parties, whether victim or perpetrator, to the degree possible within limited resources and applicable laws.
- viii. Have the right to medical or mental health information in relation to a PREA incident not being shared with staff unless directed by the Warden or PREA Implementation Team and PREA Coordinator.
- ix. Have the right to have their identity protected if they are victims of substantiated staff-on-inmate sexual misconduct or sexual harassment, to the degree possible within investigation protocol and applicable laws.
- x. Have the right to documentation of their innocence as an alleged perpetrator in all unfounded incidents.
- xi. Have the right to the least restrictive level of segregation as a perpetrator until the investigation is complete.

b) Luzerne County DOC will:

- i. Protect inmates from sexual abuse, to the degree possible within limited resources and applicable laws;
- ii. Protect victims and reports of sexual abuse from retaliation from the perpetrator or others, beginning when the allegation is made until the threat has passed as determined through the investigation process, to the degree possible within limited resources and applicable laws;
- iii. Protect victims and perpetrators by ensuring that information obtained through the investigation is only shared with staff who are involved in the investigation or case management of the involved parties, to the degree possible within limited resources and applicable laws;
- iv. Use the least restrictive level of segregation for alleged perpetrators until the investigation is complete;
- v. Protect the victim's identity to the degree possible within investigation protocol and applicable laws, regarding incidents of substantiated staff-on-inmate sexual misconduct or sexual harassment.
- vi. Protect reporters of sexual abuse from retaliation from the perpetrator or others, beginning when the allegation is made until the threat has passed as determined through the investigation process, to the degree possible within limited resources and applicable laws;

- vii. To the degree possible within investigation protocol and applicable laws, not include any specific information in the Luzerne County DOC database regarding staff member(s) who have been identified as alleged perpetrators of staff sexual abuse;
- viii. In cases of criminal sexualized behavior directed towards staff, Luzerne County DOC will work with local law enforcement to pursue criminal charges on behalf of the staff member;
- ix. Ensure that allegations to staff sexual abuse or harassment are thoroughly investigated regardless of whether the staff member is terminated or resigns.

TRANSGENDER & GENDER VARIANT INMATES POLICY

Policy: It is the policy of the Luzerne County Division of Corrections to receive, evaluate, house and provide secure, safe and humane custody of all persons, including transgender and gender-variant inmates, who are lawfully committed or held for confinement by the Luzerne County Division of Corrections until their lawful and appropriate release or transfer to another authority.

While in the custody of or while housed at any facility under the jurisdiction of the Luzerne County Division of Corrections, Luzerne County DOC staff:

- Shall not discriminate against transgender/gender-variant inmates.
- Shall not subject transgender/gender-variant inmates to verbal or physical harassment or create a hostile environment.
- Should address transgender/gender-variant inmates using preferred names and pronouns as indicated on the *Statement of Preference Form*.

**Preferred names and pronouns should be used regardless of whether or not the inmate has completed a legal name change, and regardless of whether the gender marker listed on the inmate's identity documents has changed.*

Transgender/gender-variant inmates who are placed in administrative segregation or other special management housing for the safety and security of the transgender/gender-variant inmate shall have the same access to the provisions of services and programs as any other inmate housed in a Luzerne County DOC facility.

Transgender/gender-variant inmates shall have the right to request that their housing assignment be re-evaluated.

Luzerne County Division of Corrections Inmate Guide to Medical Services

ANSWERS TO QUESTIONS YOU MAY HAVE ABOUT WHAT YOU CAN- AND CAN'T- EXPECT FROM THE MEDICAL DEPARTMENT

What health screenings take place when I arrive at Luzerne County DOC?

A nurse will review your health status when you arrive. It is important that you let us know about any medical, mental health or dental condition you are being treated for. If your regular doctor has records, which we can use, please let us know. You will be asked to sign the necessary permission for us to have copies.

A tuberculosis skin test is done on admission. Please let us know if you have had a positive test before.

How do I request medical attention?

Write to the Medical Department and state in a few words why you need to be seen. If it is an emergency, notify an officer immediately.

Who will see me in the medical department?

Medical staff includes nurses (LPN's and RN's) and providers who may be nurse practitioners, physician's assistants, or physicians. A nurse can work out many problems, and that will get them taken care of quickly. Providers are available regularly but do not work full time, so there may be a longer wait for a provider visit.

When and where do I get medication?

Location of medication administration may vary from site to site. You will be given site-specific instructions regarding medication administration times and locations at the time of your intake. If a medication has been prescribed to take regularly and you do not want to take it, you will be asked to sign a form stating your refusal. If the order is for use "as needed" (the medical term for this is p.r.n), you must take the medication at a med-line time. You should tell the nurse if you feel you need your p.r.n. medication; if you do not take it, you will not have to sign a refusal for it. There must be an order from a provider for any medication you receive.

What about an emergency?

Notify a corrections officer. Medical staff is available in the facility 24/7. Arrangements will be made for you to be seen at a nearby hospital emergency room if there is an emergency which needs to be addressed by a medical doctor or specialist, or equipment and skills are needed that are not available at the facility.

Can lab tests and x-rays be obtained here?

Yes. Specimens for Lab tests can be obtained at the facility and sent to a Lab. Your x-ray, as well as any more elaborate tests ordered, may require a trip to a hospital or elsewhere.

What if I need to be seen by a specialist somewhere?

The facility provider will arrange for visits to outside specialists if they are needed. For security reasons, we cannot tell you when an upcoming outside appointment is scheduled.

Can I get medical screening tests done?

Many routine screening tests can be done here. These include tests for HIV/AIDS, hepatitis C, syphilis, high cholesterol and diabetes, among others. Skin testing for tuberculosis is required when you arrive at the facility.

Will I get the medicines I was taking before coming here?

Unless our provider determines otherwise, verified community prescriptions will be continued upon arrival until a provider sees you.

Why would my medication be substituted?

Just like Medicare and most health insurance plans, we have a formulary, which is a list of the medications preferred. What you are used to taking may or may not be on our formulary list. If there is good medical reason, to depart from this formulary list you may get medication not on the list.

How long will it be between the time I see the provider and the time I get the medication he or she has ordered?

Ordinarily a day or two. Urgent or Emergent medications can be obtained in an expedited fashion should this be required.

Can I get a copy of my medical record?

If your attorney needs a copy of your record, he or she can obtain it by filing a request with Luzerne County DOC. The medical department does not make copies of records to give directly to inmates or others. You have a right to see your record and review it with your medical staff. You must make an appointment to do so.

How do I file a grievance if I don't think I have had the proper medical attention?

Grievance forms are available from your housing unit officer. They should be submitted through the facility administration. They will be logged and investigated. You should have a written response within 7 days of submitting the form. If you are not satisfied with the response, you may file an appeal. These will be assigned to the Grievance Coordinator for resolution, if necessary. A copy of the grievance process is in your inmate handbook.

Will you order a special diet for me?

Special diets are available for patients whose verified medical condition requires such a diet.

How do I get to see a dentist?

Write the medical department about your need for a dental visit. A nurse will evaluate your request and you will be placed on the Dental list.

Can I get my eyes checked out or glasses if I need them?

Write the medical department specifically asking for this service. Glasses are provided for those who need them and don't have them for a fee, unless an exception is made for medical reasons.

Can I get a Low bunk pass, extra pillow or extra mattress?

These items are available if our medical provider determines that you have a medical condition, which requires them.

If I tell medical I was raped can they keep it a secret?

NO. All staff must report any incident of sexual activity. You have the right to be safe from assault and keeping an open line of communication is the best way to make that happen. You will still get services even if you don't want to talk about it.

What will medical do if I am raped?

Medical will give you an exam to address immediate medical needs. If there is any kind of penetration, you will have the option to go to the hospital or be examined at the facility if a SANE is available. You can refuse an exam if you don't want it, but it is highly recommended that you go to the hospital or be seen by a SANE. A specially trained nurse will examine you and take samples from private parts of your body. Once the exam is complete, with your permission, the samples will be handed over to the Luzerne County District Attorney's Office for criminal proceedings. The special nurse will not share any information regarding your exam unless you say it's okay. A victim advocate will also be present for you to talk and will keep all information private.

What sorts of pain medications can I expect to get?

Like any medical decision, choice of pain medication takes various factors about you and your problem into account. We use a lot of caution in prescribing powerful pain medications, including many of the ones, which are often used in the community. The medications we do prescribe are effective for most problems, which cause pain, but a perfectly safe and effective pain pill has never been invented.

Are psychiatric medicines handled differently?

Psychiatric staff prescribes them, and they have a separate formulary and rules. Mental health staff and medical staff work very closely at Luzerne County DOC to meet the needs of inmates requiring psychiatric medications.

Whom do I ask about getting a sleeping pill?

You will need an evaluation and appointment to discuss options for helping you sleep better.

Can I continue a buprenorphine (Suboxone) program while at Luzerne County DOC?

No.

Can I get nicotine patches to help with not having cigarettes?

No.

Can I get supplemental vitamins?

Only if a medical condition requires them.

What about herbal supplements and natural products?

Only if a medical condition requires them.

Your Temporary PIN is the LAST FOUR digits of the card number.

- Treat this card like cash.
- Change your PIN often.
- Never write the PIN on the card.
- Don't tell anyone your PIN.

Use your card where you see these symbols:



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CARD FEES

FREE Services	Card Activation Fee	FREE
	Support Calls Fee	FREE
	PIN Change Fee	FREE
	Point of Sale (POS) Transactions (PIN & Signature)	FREE
	Cash Back Option with POS purchase	FREE
	POS Declines	FREE
	Card to Bank ACH Transfer****	FREE
	Cash Out at Principal MasterCard Member Institution	FREE
Maintenance	Weekly Maintenance Fee*	\$2.50
ATM Fees	ATM Account Inquiry Fee	\$1.50
	Domestic ATM Fees***	\$2.95
	ATM Decline for Non-Sufficient Funds Fee	\$2.95
	International ATM Fees***	\$3.95
	ATM Decline International Fee	\$3.95
Other Fees	Inactivity Fee**	\$2.00
	Replacement of lost or stolen card	\$10.00
	Account Closure Fee/Request for Balance by Check	\$25.00

Further clarification on any fees can be found in the FAQ section at www.releasepay.com

* After 3 days / 72 hours of issuance the card starts incurring weekly maintenance fees to cover account administration and maintenance.

**After 90 days of no activity.

***Fees may also be imposed by the local ATM provider in addition to card fees.

****Returned or rejected ACH transfers for invalid banking information are subject to a \$25.00 returned processing fee.

If prompted, select the "Checking" option to withdraw cash from an ATM.

You are allowed 10 ATM withdrawals for a total of \$3,500 per day. At a point-of-sale, you are allowed 10 purchases for a total of \$3,500 per day.

DECLINES: There are several reasons this might occur...

- If at a Point of Sale terminal you are trying to purchase an item that costs more than the value on the card, plus the POS fee (if applicable).
 - If at an ATM you are trying to access your funds, but get an error message stating "FUNDS NOT AVAILABLE" or something similar it may mean that you are trying to withdraw more than is available. Please keep in mind that there needs to be sufficient funds to cover the fees associated with the transaction.
- Example: You have \$42.50 in your account. You try to withdraw \$40.00 and you receive an error message. The reason is the fee to withdraw the funds is greater than \$2.50, not including ATM convenience fee (if applicable).

Want to save money on fees? Follow these easy tips:

- Check your balance online or through customer service before using an ATM.
- Use your card as a payment method in grocery stores, convenience stores, drug stores, or anywhere that accepts Debit MasterCard®. You can also select the "Cash Back" option to receive cash at no charge.
- If your card is rejected at an ATM, never attempt over and over again. Some ATMs impose a fee even for declined transactions.
- Remove your entire card balance for free by visiting any financial institution that is a MasterCard principal member and asking for a cash advance for the balance on the card.
- Maintain your account for free online.
- Retain this document for future reference.
- Another reason for a decline is because of Invalid PIN number.
- Pre-Payment of services like fuel dispensed from a "Pay at the Pump" terminal prior to pumping the gas or for services like a hotel room. The payment networks automatically put a hold on a certain amount of the funds available to ensure payment. This hold usually takes several hours to be removed; therefore, the cardholder cannot access his funds until this hold is remove.
- Utilize the free ACH transfer service to send funds from your card to your bank account.

Terms and Conditions

Usage of the Card constitutes agreement to the Terms and Conditions set forth herein.

This Cardholder Agreement and Disclosure (this "Agreement") covers your rights, our rights, and rights of our affiliates and representatives, relating to your election to use your ReleasePay Prepaid MasterCard® (the "Card"), issued by Cache Valley Bank ("CVB"). In this Agreement, "You" and "Your" means the person or persons who have received the Card and are authorized to use the Card as provided for in this Agreement. "We," "Us" and "Our" means Rapid Financial Solutions our successors, affiliates or agencies.

By using, or authorizing any other person to use your Card, you hereby understand and agree to the following terms and conditions:

Receipt of Payment via the Card. Your company or employer (your "Company") will transfer funds (the "Funds") due to you to a pooled account maintained at Cache Valley Bank, member FDIC (the "Bank"). You can access your Funds through your use of the Card.

Availability of Funds. Your Funds will become available to you through the use of the Card after your Company has transferred those Funds to the Bank. You may use your Card to access Funds only to the extent that you have available Funds. You can call us at 1-877-592-1118 or go to www.ReleasePay.com and click on "User Login".

No Interest on Your Funds. You will not receive any interest on your Funds.

Card Services. We generally offer the following services to Cardholders ("Cardholder Services"):

- **Automated Teller Machine ("ATM") Services.** You may use your Card to access your funds at any ATM that bears the network marks for Pulse®, MasterCard®, and Maestro® that appear on the back of your Card or to inquire about the amount of Funds available to you.
- **Merchant Services.** You may use your Card to purchase goods and services at any retail or other establishment that accepts MasterCard debit cards for payment or displays the network marks that appear on the back of your Card.

Fees. We will provide you written notice of a change in fees at least thirty (30) days prior to the effective date of such change. If we are unable to contact you for any reason, we will post the changes to the fees on the Card website at

www.ReleasePay.com. You will be deemed to have proper notice thirty days (30) after the amendments are posted. **Personal Identification Number ("PIN").** We will assign to you a confidential PIN, which will enable you to identify yourself when using your Card. Your PIN is a security feature that functions as your signature, identifying you as the proper user of the Card and authorizing any transaction that you make through the Card. It is solely your responsibility to not reveal your PIN to unauthorized users of the Card and you assume full responsibility for any and all transactions made through your Card with the use of your PIN. If you voluntarily give your Card and/or PIN to another person, you have authorized such person to use your Card and access your Funds, and you will be responsible for their use of your Card. Your temporary PIN is the last four digits of your card number. Change your PIN often. Never write the PIN on the card. Don't tell anyone your PIN. We will never ask for your PIN.

Receipts at Electronic Terminals. You should receive a receipt at the time you use your Card at an ATM, or to purchase goods or services through a merchant at retail or other establishment.

Periodic Card Statements. Under the Electronic Fund Transfer Act, you can request periodic statements showing your balance and transactions done using your Card. You can choose to receive the following information in paper form (a fee applies) or electronically at no cost:

- Monthly statements, unless there are no transactions through your Card during a particular month.
- Amendments to this agreement, including, without limitation, any changes in the Cardholder Services Schedule and fees set forth therein or any other terms or conditions of your use of the Card; and
- All other disclosures, notifications and information relating to the Card and the terms of your use of the Card.

Our Liability for Unauthorized Transfers. You shall notify us immediately if you believe that your Card has been lost or stolen or that an unauthorized person has learned your PIN or Card number. If you think your card has been lost or stolen, and you would like a replacement card please call 1-877-592-1118 and there will be a \$10.00 replacement fee to send you a new card. Reporting us is the best way of minimizing possible losses. You could lose all of your Funds if you fail to notify us promptly. If you notify us within two (2) business days, you can lose no more than \$50.00 if someone uses your Card without your permission. If you do not notify us within two (2) business days after you learn of the loss or theft of your Card, and if we can prove that we could have prevented someone from using your Card without your permission if you had promptly notified us, you could lose up to \$500.00 of your Funds. You shall notify us immediately if your Card statement shows transfers or transactions that you did not make or authorize. A consumer's 60-day period to report errors begins on the earlier of the date either the consumer electronically accesses the account or the date after the statement, including the transaction, was delivered to you. As Rapid Financial Solutions may not, or is unable to track when consumers electronically access their accounts, we will allow a consumer to report an error up to 120 days after the date the transaction allegedly in error was credited or debited to the prepaid card account. If it can be proven that we could have prevented someone from withdrawing or using your Funds if you had notified us in time, you may not get back any Funds withdrawn by an unauthorized user.

Our Liability for Failure to Complete Transactions. If we do not properly complete a Card transaction for you on time and in the correct amount, we could be liable for your losses or damages. However, there are some exceptions:

- If through no fault of our own, you do not have adequate Funds available to complete the transaction;
- If an ATM where you are making a withdrawal does not have enough cash;
- If an electronic terminal where you are making a transaction does not operate properly, and you knew about the problem when you initiated the transaction;
- If circumstances beyond our control (such as fire, flood or communications or computer failure) prevent the completion of the transaction, despite our reasonable efforts;
- If access to your account has been blocked after you have reported your Card lost or stolen;
- If a merchant refuses to accept your card;
- If there is a hold on your Funds at the Bank for any reason;
- If your Funds are subject to legal process or other encumbrance restricting its transferability; or
- If your transfer authorization terminates by operation of law.

There may be other applicable exceptions not listed above, but stated elsewhere in other agreements between you and Us. **Error Resolution.** In case of errors or questions about Card transactions or if you need more information about a transaction listed on a statement or receipt, please notify us as soon as possible. You can notify us by telephone at 1-877-592-1118 or by U.S. Mail at:

**Cardholder Services
PO Box 6425
North Logan, UT 84341**

A consumer's 60-day period to report errors begins on the earlier of the date either the consumer electronically accesses the account or the date after the statement, including the transaction, was delivered to you. As we may not, or is unable to track when consumers electronically access their accounts, we will allow a consumer to report an error up to 120 days after the date the transaction allegedly in error was credited or debited to the prepaid card account. When you notify us:

- Tell us your name and Card number.
- Describe the error or transaction that you are unsure about, and explain as clearly as possible why you believe that it is an error or why you need more information.
- Tell us the dollar amount of the suspected error and where and when the transaction took place. If you tell us verbally, we may require that you send us your complaint or question in writing within ten (10) business days.
- Within ten (10) business days after we hear from you, we will determine whether an error occurred, and if so, we will correct the error promptly. If we need more time, however, we may take up to forty-five (45) days to investigate your complaint or question. If we decide to do this, we will credit your account within ten (10) business days for the amount you think is in error, so that you will have the use of the money during the time that it takes us to complete our investigation. If we ask you to put your complaint or questioning in writing and we do not receive it within ten (10) business days, we may not credit your account.
- We will tell you the results within three (3) business days after completing our investigation. If we decide that there was no error, we will send you a written explanation. We may debit your Funds at the Bank with the amount that we credited your Funds during our investigation of your complaint or question. You may ask for copies of the documents that we used during our investigation.

Foreign Currency Transactions: Any purchase or withdrawal made in another currency will be converted to U.S. dollars by MasterCard International, Incorporated, according to an exchange rate selected by MasterCard International Incorporated from the range of rates available in wholesale currency markets for the applicable central processing date, which may vary from the rate MasterCard itself receives, or the government-mandated rate in effect for the applicable central processing date. You agree to pay the converted amount plus any charge for conversion or proceedings that may be imposed.

Confidentiality. We may disclose information to third parties about your Card transaction history:

- Where it is necessary for completing transactions;
- In order to verify the existence and conditions of your Card and Funds for a third party, such as a credit bureau or merchant;
- In order to comply with government agency or court orders, or other legal reporting requirements; or
- If you give us your written permission. Within our organization and with respect to the Bank, we may share your personal information as well as information concerning your Card transaction history. Other information you have given us in connection with obtaining a Card, or information we may receive from other third party, also may be shared within our organization, with the Bank and certain other parties.

Please see our Privacy Policy for additional information in this regard.

Business Days. Our business days are Monday through Friday, 8:00 am - 5:00 pm, MST, with the exception of any state or federal banking holidays.

Cancellation. You may cancel your Card and this Agreement at any time by notifying your Company or by contacting us directly. In addition, we may cancel this Agreement, the Card and the related services at any time.

Amendment. We may amend or change the terms of this Agreement at any time. We will notify you thirty days (30) prior to the effective date of any changes. If we are unable to contact you for any reason, we will post the changes on the Card website at www.ReleasePay.com. You will be deemed to have proper notice thirty days (30) after the amendments are posted. You are encouraged to review the web site regularly to monitor changes in the terms of this Agreement. However, if a change is made for security purposes, we can implement it without prior notice.

Severability. In the event that any provision of this Agreement is determined to be invalid, illegal or unenforceable, such determination shall not affect the other provisions of this Agreement.

Governing Law. This agreement shall be governed by, and construed in accordance with the laws of the State of Utah and any actions or proceedings with respect to this Agreement or any services hereunder shall be brought only before a federal or state court in the State of Utah.

Arbitration. In the event of any dispute or claim relating in any way to this Agreement or services provided, the parties agree that such dispute shall be resolved by binding arbitration with the American Arbitration Association, utilizing the rules of procedure or such arbitration service. Further, any such arbitrations shall take place in Utah and the laws of Utah shall apply. The decision of an arbitrator will be final subject to enforcement in a court of competent jurisdiction. This card is issued by Cache Valley Bank pursuant to a license from MasterCard International Incorporated. Rapid Financial Solutions is a registered MSP of Cache Valley Bank. MasterCard is a registered trademark of MasterCard International Incorporated.

