

## MEMORANDUM

To: John P. Torres, Director, Office of Detention and Removal, Immigration and Customs Enforcement

From: American Bar Association Delegation to Dorchester Detention Center<sup>1</sup>

Copies to: (b)(6) American Bar Association Commission on Immigration

Re: Report on Observational Tour of Dorchester Detention Center, Cambridge, MD

Date: December 18, 2006

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This memorandum summarizes and evaluates information gathered at the Dorchester Detention Center in Cambridge, Maryland (“DDC”), through discussions with DDC and local Immigration and Customs Enforcement (“ICE”) personnel, interviews with ICE detainees, and observations by delegation members during the delegation’s April 11, 2006, visit.

### I. ICE DETENTION STANDARDS

In November 2000, the Immigration and Naturalization Service (INS),<sup>2</sup> promulgated the “INS Detention Standards” to ensure the “safe, secure and humane treatment” of immigration detainees. The thirty-eight standards contained in the Detention Operations Manual cover a broad spectrum of issues ranging from visitation policies to grievance procedures and food service. These standards apply to ICE-operated detention centers and other facilities that house immigration detainees pursuant to a contract or intergovernmental service agreement (“IGSA”).

The Detention Standards (the “Standards”) went into effect at ICE-operated detention facilities on January 1, 2001. ICE intended to phase in the Standards at all of its contract and IGSA facilities by December 31, 2002. The Standards constitute a “floor” rather than a “ceiling” for the treatment of immigration detainees. In other words, they are designed to establish the minimum requirements to which ICE must adhere in its facilities. Each Field Office or Officer-in-Charge has discretion to promulgate policies and practices affording ICE detainees more enhanced rights and protections, beyond those provided for by the Standards.

### II. INTRODUCTION

#### A. The Delegation’s Visit on April 1, 2006

On April 11, 2006, the members of our delegation toured the DDC, which is located at 829 Fieldcrest Road, Cambridge, Maryland. We met with Warden (b)(6), (b)(7)c who has been the Warden of the DDC since 1993. We also met with (b)(6), (b)(7)c of ICE’s Baltimore field office. Warden (b)(6), (b)(7)c provided a tour of the DDC facilities. The tour included visitation areas, the kitchen, the library, the indoor gym, segregation cells, and the medical wing

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<sup>1</sup> The delegation was comprised of attorneys from Dechert LLP: (b)(6), (b)(6)

<sup>2</sup> Effective March 1, 2003, the INS ceased to exist as an agency of the Department of Justice. The INS’s immigration enforcement functions were transferred to Immigration and Customs Enforcement, a division of the newly-created Department of Homeland Security (“DHS”).

for male inmates and detainees. We were also shown the detainee housing areas (the “pods”), from the vantage point of the hallways outside the pods. After the tour, we met with seven detained men and two detained women. We interviewed these detainees individually, without DDC or ICE personnel present. Where appropriate and where we have permission to do so, we attribute statements to the particular detainees that made them.

## B. General Information About the Facility

The DDC has been housing detainees under contract with ICE since 1995.<sup>3</sup> Warden (b)(6), (b)(7)c informed us that, at the time of our visit, DDC had a total population of 199 prisoners. Of this total, fifty-nine (59) were ICE detainees (49 men and 10 women).<sup>4</sup> The rest of the prisoners were inmates serving prison sentences.<sup>5</sup>

Warden (b)(6), (b)(7)c stated that the DDC houses detainees from a wide variety of countries.<sup>6</sup> According to ICE Officer (b)(6), (b)(7)c, these detainees were received from the Maryland, Delaware, and southern Pennsylvania area.<sup>7</sup> Many of the detainees housed at the DDC have criminal records and were transferred from prison/jail facilities in the above area after serving sentences for criminal convictions.<sup>8</sup> Warden (b)(6), (b)(7)c informed us that ICE pays the DDC \$50 per day, per detainee under the current contract.<sup>9</sup> Warden (b)(6), (b)(7)c stated that the DDC applies one set of rules to everyone, including inmates and detainees.<sup>10</sup>

## III. OBSERVATIONS ABOUT THE IMPLEMENTATION OF LEGAL ACCESS STANDARDS

### A. Visitation

#### (i) Visitation By Legal Representatives

The Standards require that legal visitation be available seven (7) days a week for a minimum of eight (8) hours on weekdays and four (4) hours on weekends.<sup>11</sup> Legal visits should not be terminated for meals or routine official counts.<sup>12</sup>

**The DDC appears to substantially meet this section of the Standards, although visits may not take place during meals.** The Dorchester Detention Center Inmate Informational Handbook, revised October 17, 2003 (the “Inmate Handbook”) states that a detainee is allowed

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<sup>11</sup> Detention Operations Manual, Detainee Services, Standard 17, Section III.I.2.

<sup>12</sup> Detention Operations Manual, Detainee Services, Standard 1, Section III.I.9.

private consultation with his/her attorney and that legal access will not be hindered.<sup>13</sup> Attorneys are permitted to visit at any time other than during regular visitation hours or during meals.<sup>14</sup> However, visitation beyond 8:00 p.m. is discouraged.<sup>15</sup> There is no attorney visitation schedule posted, as it is up to attorneys to schedule visits.<sup>16</sup> There is no particular contact person at the DDC for scheduling attorney visits.<sup>17</sup> Interpreters are also permitted, and video conferencing has been set up for interpreters.<sup>18</sup>

According to Warden (b)(6), (b)(7)c, Catholic Relief Services is the only free legal service in the area.<sup>19</sup> Its attorney representative comes once a week, and detainees may submit requests via a mailbox.<sup>20</sup> Contact information for Catholic Relief Services is posted clearly in the visitation area.<sup>21</sup> The public defender's office visits daily.<sup>22</sup>

Visits are non-contact except on special occasions such as our visit to the Center.<sup>23</sup> If a visit is contact, a strip search is performed afterwards.<sup>24</sup> There are three non-contact visitation rooms, and we were shown a private room where the interviews are conducted.<sup>25</sup> There is a slot for pushing one sheet of paper through at a time.<sup>26</sup> However, two detainees did report problems with accessing legal documents (see further detail under "Access to Legal Materials").<sup>27</sup>

Our interviews indicate that detainees are aware of the Catholic Relief Services representative and have submitted requests to her.<sup>28</sup> We were not told of any problems with attorney visitation, other than the difficulty of obtaining representation or meeting with representatives from ICE.<sup>29</sup>

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<sup>13</sup> Dorchester Detention Center Inmate Informational Handbook, revised October 17, 2003 (hereinafter "Inmate Handbook"), at 8.

<sup>14</sup> If a visit runs into a meal time, the visit is interrupted for the meal and can be resumed again after the meal.

<sup>15</sup> Notes of delegation member (b)(6), (b)(7)c on conversation with Warden (b)(6), (b)(7)c

<sup>16</sup> Notes of delegation member (b)(6), (b)(7)c on conversation with Warden (b)(6), (b)(7)c

<sup>17</sup> Notes of delegation member (b)(6), (b)(7)c on conversation with Warden (b)(6), (b)(7)c

<sup>18</sup> Notes of delegation member (b)(6), (b)(7)c on conversation with Warden (b)(6), (b)(7)c

<sup>19</sup> Notes of delegation member (b)(6), (b)(7)c on conversation with Warden (b)(6), (b)(7)c

<sup>20</sup> Notes of delegation member (b)(6), (b)(7)c on conversation with Warden (b)(6), (b)(7)c

<sup>21</sup> Delegation observations.

<sup>22</sup> Notes of delegation member (b)(6), (b)(7)c on conversation with Warden (b)(6), (b)(7)c

<sup>23</sup> Notes of delegation member (b)(6), (b)(7)c on conversation with Warden (b)(6), (b)(7)c

<sup>24</sup> Notes of delegation member (b)(6), (b)(7)c on conversation with Warden (b)(6), (b)(7)c

<sup>25</sup> Delegation observations.

<sup>26</sup> Delegation observations.

<sup>27</sup> (b)(6), (b)(7)c delegation member (b)(6), (b)(7)c on conversations with detainees (b)(6), (b)(7)c

<sup>28</sup> (b)(6), (b)(7)c delegation member (b)(6), (b)(7)c, on conversation with detainee (b)(6), (b)(7)c notes of delegation member (b)(6), (b)(7)c on conversation with (b)(6), (b)(7)c

<sup>29</sup> One detainee indicated that he was not formally represented and had made two requests in four weeks to the Catholic Relief Services' representative to ascertain the status of his deportation case. Notes of delegation member (b)(6), (b)(7)c on conversation with detainee (b)(6), (b)(7)c

It is not clear that detainees can contact attorneys via telephone. One detainee stated that he had had difficulty contacting an attorney, and was told to make a written request.<sup>30</sup>

## (ii) Visitation By Family Members

The Standards require that visiting hours be clearly posted and permitted during designated hours, including on weekends and holidays, with the possibility of special arrangements for family members unable to visit during regular hours.<sup>31</sup> The permitted duration of visits should be at least 30 minutes, and there should be no limits on the number of visitors other than as needed for room capacity concerns.<sup>32</sup> In facilities with restrictions on visitation by minors, detainees are required to make a request and visitation should be allowed within 30 days, or the detainee may be transferred to a separate location to visit with the minor.<sup>33</sup>

**The DDC does not fully meet this section of the Standards: visits are restricted to 15 minutes, rather than 30.** The Inmate Handbook states that visits are permitted weekly with up to two visitors for 15 minutes.<sup>34</sup> The visitation schedule is Wednesdays and Saturdays from 9-11:00 a.m. and 1-3:00 p.m.<sup>35</sup> Minors are permitted to visit only on the first Saturdays of the month and must be accompanied by a parent or guardian (the child and parent/guardian counting as two visitors).<sup>36</sup> “Special visits” are permitted for family emergencies or special situations, but detainees must have a 90-day period with no infractions to qualify for special situations visits.<sup>37</sup>

The visitation schedule is posted in the lobby of the DDC,<sup>38</sup> and detainees are aware of the schedule. The 15-minute limit for visitation is a clear violation of the Standards. In addition, we were told by one of the detainees interviewed that the 15 minute limit applies to visitors traveling from great distances,<sup>39</sup> however, a visitor could visit during the morning visitation hours and the afternoon visitation hours, technically visiting for a total of 30 minutes that day.<sup>40</sup> One detainee informed us that if the visiting room is full, visits will be unexpectedly cut short, especially if a detainee receives visitors often.<sup>41</sup> Although Warden (b)(6), (b)(7)c informed us that special visitation requests were permitted more often for ICE detainees, but one of the detainees with family in New York, Boston, and California indicated that special arrangements were not permitted in his case despite requests that had been made.<sup>42</sup> All visits are non-contact.<sup>43</sup>

<sup>30</sup> Notes of delegation member (b)(6), on conversation with detainee (b)(6), (b)(7)c

<sup>31</sup> Detention Operations Manual, Detainee Services, Standard 17, Sections III.B & III.H.1.

<sup>32</sup> Detention Operations Manual, Detainee Services, Standard 17, Section III.H.

<sup>33</sup> Detention Operations Manual, Detainee Services, Standard 17, Section III.H.2.

<sup>34</sup> Inmate Handbook at 8.

<sup>35</sup> Inmate Handbook at 8.

<sup>36</sup> Inmate Handbook at 8.

<sup>37</sup> Inmate Handbook at 8.

<sup>38</sup> Observations of delegation member (b)(6).

<sup>39</sup> Notes of delegation member (b)(6) on conversation with detainee (b)(6), (b)(7)c

<sup>40</sup> Notes of delegation member (b)(6) on conversation with detainee (b)(6), (b)(7)c

<sup>41</sup> Notes of delegation member (b)(6) on conversation with detainee (b)(6), (b)(7)c

<sup>42</sup> Notes of delegation member (b)(6) on conversation with detainee (b)(6), (b)(7)c

<sup>43</sup> Notes of delegation member (b)(6) on conversation with Warden (b)(6), (b)(7)c

## B. Telephone Access

The Standards require that detainees be permitted to make free calls to consulates, and direct calls to courts and government offices; indigent detainees should be able to make these latter calls for free if there is a compelling need.<sup>44</sup> If calls are monitored, a prominent multilingual notice of monitoring should be posted at the monitored phone, along with procedures to request an unmonitored phone with a legal representative.<sup>45</sup>

**The DDC appears to substantially meet this section of the Standards; however, telephone calls are expensive and pre-programmed numbers do not connect to the appropriate consular office.** Warden (b)(6), (b)(7)c informed us that telephone access is provided from 6:00 a.m. to 10:00 p.m. daily. The Inmate Handbook also provides that telephone access is provided from 7:00 a.m. to 10:00 p.m. daily.<sup>46</sup> Phone calls are limited to 20 minutes; and DDC uses a collect call system.<sup>47</sup> There are two phones per unit in the common area.<sup>48</sup> At the time of our visit, calls were not monitored, nor was there an ability to monitor calls.<sup>49</sup> However, Warden (b)(6), (b)(7)c informed us that a new software system was being installed for the telephones which would provide capability to monitor calls from telephones in the general visitation area and common area (not from telephones in the legal visitation area).<sup>50</sup>

In addition to making collect calls, international calls can be made with pre-paid cards.<sup>51</sup> Warden (b)(6), (b)(7)c indicated the facility has a favorable contract rate for calls.<sup>52</sup> However, one detainee noted that the prepaid cards are not inexpensive, and function only for international calls.<sup>53</sup>

There are pre-programmed numbers or information for reaching embassies, consulates and other similar entities provided in the common area.<sup>54</sup> One of the detainees informed us that the pre-programmed numbers for consulates are for the New York consulates which refer the detainees to the DC consulate (whose numbers are not provided).<sup>55</sup>

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<sup>44</sup> Detention Operations Manual, Detainee Services, Standard 16, Section III.E.

<sup>45</sup> Detention Operations Manual, Detainee Services, Standard 16, Section III.J.

<sup>46</sup> Inmate Handbook at 9.

<sup>47</sup> Inmate Handbook at 9.

<sup>48</sup> Delegation observations.

<sup>49</sup> Notes of delegation member (b)(6) on conversation with Warden (b)(6), (b)(7)c.

<sup>50</sup> It is not clear how the facility would address maintaining the privacy of calls from detainees to attorneys made from the general visitation area once the new system is in place. Notes of delegation member (b)(6) on conversation with Warden (b)(6), (b)(7)c.

<sup>51</sup> Notes of delegation member (b)(6), on conversation with Warden (b)(6), (b)(7)c.

<sup>52</sup> Notes of delegation member (b)(6), on conversation with Warden (b)(6), (b)(7)c.

<sup>53</sup> Notes of delegation member (b)(6) on conversation with detainee (b)(6).

<sup>54</sup> Notes of delegation member (b)(6), on conversation with (b)(6), (b)(6), (b)(7)c.

<sup>55</sup> Notes of delegation member (b)(6) on conversation with detainee (b)(6).

Two detainees complained that phone calls could not be made successfully to cell phones so no family using cell phones could be contacted via phone.<sup>56</sup> These detainees also stated that collect calls were expensive, with one detainee commenting that a local collect call costs \$8.00.<sup>57</sup>

### C. Access to Legal Material

The Standards specify that all facilities with detainees “shall permit detainees access to a law library, and provide legal materials, facilities, equipment and document copying privileges, and the opportunity to prepare legal documents.”<sup>58</sup>

**DDC meets some sections of the Standards regarding access to legal materials. However, DDC does not meet other sections of the Standards and, on the whole, does not appear to provide detainees with the requisite access to legal materials.**

#### 1. Law Library Access

The Standards specify that each facility shall have a flexible schedule for law library use that permits all detainees, regardless of housing or classification, to use the library on a regular basis.<sup>59</sup> Each detainee shall be permitted to use the law library for a minimum of five hours per week.<sup>60</sup> Detainees may not be forced to forgo their minimum recreation time to use the law library, and detainee requests for additional time in the library must be accommodated to the extent possible.<sup>61</sup>

**DDC does not meet this section of the Standards: detained women are allowed access only to a cart of materials that does not include all available materials, segregated detainees are not permitted access to the law library, and detained men only have access one hour per week.** Warden Williams stated that the law library is open for detainee use on Tuesday mornings, Wednesday mornings and afternoons and Thursday mornings, and that detainee requests for additional time are honored when made.<sup>62</sup> Warden (b)(6), (b)(7)c comments suggest that detainees are granted several hours of access per week. However, five detained men stated that law library access was limited to one hour per week, on Wednesdays.<sup>63</sup> One detainee stated that, with library access limited to one hour a week, it took a very long time for him to type up materials for his legal proceedings.<sup>64</sup> These detainees also explained that DDC staff required that detainee requests for law library access be made on Sunday to reserve time for one

<sup>56</sup> Notes of delegation member (b)(6), (b)(7)c on conversations with detainees (b)(6), (b)(7)c

<sup>57</sup> Notes of delegation member (b)(6), (b)(7)c on conversations with detainees (b)(6), (b)(7)c

<sup>58</sup> Detention Operations Manual, Detainee Services, Standard 1, Section I.

<sup>59</sup> Detention Operations Manual, Detainee Services, Standard 1, Section III.G.

<sup>60</sup> Detention Operations Manual, Detainee Services, Standard 1, Section III.G.

<sup>61</sup> Detention Operations Manual, Detainee Services, Standard 1, Section III.G.

<sup>62</sup> Notes of delegation member (b)(6) on conversation with Warden (b)(6), (b)(7)c

<sup>63</sup> Notes of delegation member (b)(6) on conversations with detainees (b)(6), (b)(7)c  
Boateng; notes of delegation member (b)(6) on conversations with detainees (b)(6), (b)(7)c  
(b)(6), (b)(7)c; notes of delegation member (b)(6) on conversation with detainee (b)(6), (b)(7)c

<sup>64</sup> Notes of delegation member (b)(6) on conversation with detainee (b)(6), (b)(7)c

hour on the following Wednesday.<sup>65</sup> One detainee indicated he had heard other people had made law library requests that had not been accommodated.<sup>66</sup> Also, detainees did not appear to be aware that DDC would honor requests for additional time in the law library,<sup>67</sup> which was the policy indicated by Warden (b)(6), (b)(7)c.<sup>68</sup>

Further, detained women are not permitted access to the law library facilities but instead are provided access only to a rolling cart of legal materials that is brought to their pods.<sup>69</sup> As further described below, this cart of legal materials does not include the required collection of law library materials. One woman reported that her written request for access to the law library was never answered; she also said she was not aware of the hours of access to the library or the cart.<sup>70</sup>

Finally, while the Standards require that detainees “housed in Administrative Segregation or Disciplinary Segregation unit shall have the same law library access as the general population, unless compelling security concerns require limitations,”<sup>71</sup> Warden (b)(6), (b)(7)c indicated that detainees in disciplinary or administrative segregation are not permitted to use the law library.<sup>72</sup>

## 2. Law Library Conditions

The Standards require that a facility provide a law library with sufficient space to facilitate detainees’ legal research and writing.<sup>73</sup> Furthermore, it must be large enough “to provide reasonable access to all detainees who request its use. It shall contain a sufficient number of tables and chairs in a well-lit room, reasonably isolated from noisy areas.”<sup>74</sup>

**DDC meets this section of the Standards.** DDC’s general library area is part of a multi-purpose room that is also used as a classroom.<sup>75</sup> A curtain divides the room in half, with several tables on one side of the room and several desks on the other.<sup>76</sup> The general library collection, which is comprised of numerous paperback books, fills several bookcases about 3 feet high on the side of the room where the tables and copying machine are located.<sup>77</sup> The law library collection is in a locked room accessed at the back of the multi-purpose room.<sup>78</sup> Male detainees are able to access law library materials and work on the large tables or desks.<sup>79</sup>

<sup>65</sup> Notes of delegation member (b)(6), on conversations with detainees (b)(6), (b)(7)c

<sup>66</sup> Notes of delegation member (b)(6), on conversation with detainee (b)(6), (b)(7)c

<sup>67</sup> Notes of delegation member (b)(6), on conversations with detainee (b)(6), (b)(7)c

<sup>68</sup> Notes of delegation member (b)(6), on conversation with Warden (b)(6), (b)(7)c

<sup>69</sup> Notes of delegation member (b)(6), on conversation with Warden (b)(6), (b)(7)c and Captain b6,b7c

<sup>70</sup> Notes of delegation member (b)(6), on conversation with detainee (b)(6), (b)(7)c

<sup>71</sup> Detention Operations Manual, Detainee Services, Standard 1, Section III.M.

<sup>72</sup> Notes of delegation member (b)(6), on conversation with Warden (b)(6), (b)(7)c

<sup>73</sup> Detention Operations Manual, Detainee Services, Standard 1, Section III.A.

<sup>74</sup> Detention Operations Manual, Detainee Services, Standard 1, Section III.A.

<sup>75</sup> Observations of delegation member (b)(6)

<sup>76</sup> Observations of delegation member (b)(6)

<sup>77</sup> Observations of delegation member (b)(6)

<sup>78</sup> Observations of delegation member (b)(6)

<sup>79</sup> Notes of delegation member (b)(6), observations and on conversation with Warden (b)(6), (b)(7)c and Captain (b)(6), (b)(7)c

### 3. Materials Identified in the Standards

The Standards state that all facility law libraries shall contain the materials listed in Attachment A to the section titled “Access to Legal Materials.”<sup>80</sup> The facility must post a list of its holdings in the law library.<sup>81</sup> The materials must be updated regularly, and information must be added on significant regulatory and statutory changes regarding detention and deportation of aliens in a timely manner.<sup>82</sup> Damaged or stolen materials must be promptly replaced.<sup>83</sup>

**DDC does not fully meet this section of the Standards: a list of holdings was not posted in the library, and the wheeled cart of materials provided to detained women did not include all of the required materials. In addition, staff indicated that there are no formal procedures for cataloguing current and new library materials, or for ensuring that the required materials are available.** DDC provides detainees with access to materials in a locked room at the back of the multi-purpose room containing the regular library, as described above.<sup>84</sup> The locked room is filled with both immigration and general law materials that are available to the regular prison population.<sup>85</sup> A wheeled cart on which three rows of immigration-related legal materials are stored was located in this room, as was a computer that is loaded with certain immigration-related legal materials.<sup>86</sup> DDC staff indicated that the cart of immigration-related materials is wheeled to the female detainee pods when requested.<sup>87</sup>

The materials in the locked room, spread out across a number of shelves and on the wheeled cart, were not organized in a manner that permitted the delegation to assess the collection.<sup>88</sup> There were numerous immigration volumes, including what appeared to be pocket parts, that were stacked on top of each other on shelf space in the locked room and had not been removed from their plastic wrappers.<sup>89</sup> These and other immigration-related materials were not included on the wheeled cart, which was full to capacity, suggesting that female detainees simply were not provided access to such other materials.<sup>90</sup> No list of materials available in the collection was visible in the room.<sup>91</sup>

A computer prepared by ICE staff outside of the facility was stored in the locked room.<sup>92</sup> Upon request, DDC and ICE staff moved the computer out of the locked room into the multi-purpose room, plugged in the computer, and permitted delegation members to inspect the computer. It appears that some Lexis software provided on CD had been loaded onto the

<sup>80</sup> Detention Operations Manual, Detainee Services, Standard 1, Section III.C.

<sup>81</sup> Detention Operations Manual, Detainee Services, Standard 1, Section III.C.

<sup>82</sup> Detention Operations Manual, Detainee Services, Standard 1, Section III.E.

<sup>83</sup> Detention Operations Manual, Detainee Services, Standard 1, Section III.F.

<sup>84</sup> Notes of delegation member (b)(6) on observations and on conversation with Warden (b)(6), (b)(7)c and Captain (b)(6), (b)(7)

<sup>85</sup> Observations of delegation member (b)(6)

<sup>86</sup> Observations of delegation member (b)(6)

<sup>87</sup> Notes of delegation member (b)(6) on conversation with Warden (b)(6), (b)(7)c

<sup>88</sup> Observations of delegation member (b)(6)

<sup>89</sup> Observations of delegation member (b)(6)

<sup>90</sup> Observations of delegation member (b)(6)

<sup>91</sup> Observations of delegation member (b)(6)

<sup>92</sup> Notes of delegation member (b)(6) on conversation with Warden (b)(6), (b)(7)c

computer.<sup>93</sup> Delegation members were presented with two CDs labeled “BICE Library 9020, Release 17, 10/05,” which appeared to contain Lexis search software and a database of immigration-related legal materials, and were told that such CDs had been loaded onto the computer.<sup>94</sup> ICE staff verified that this computer did not provide internet or any other connectivity; hence, detainees are limited to accessing materials available on the computer’s hard drive and CDs.<sup>95</sup> Due to time constraints, the delegation was not able to ascertain the scope or range of materials available on such computer via the search software.

DDC and ICE staff indicated that the law library collection was updated “automatically” because new items were constantly being sent to DDC for inclusion in its collection.<sup>96</sup> However, these officials were unable to specify which materials were received automatically.<sup>97</sup> These officials also stated that there was no formal process in place for cataloguing current and newly arrived materials at the facility, for verifying the scope and range of computer materials available via the research software, or for ensuring that the law library collection included all materials specified in Attachment A to the section titled “*Access to Legal Materials.*”<sup>98</sup>

#### 4. Computer Access and Equipment

The Standards specify that facility law libraries shall provide “an adequate number of typewriters and/or computers, writing implements, paper, and office supplies to enable detainees to prepare documents for legal proceedings.”<sup>99</sup>

**DDC does not meet this section of the Standards: it is not clear that there is an adequate number of computers for detainee use, and women and segregated detainees do not have access to the computers.** DDC has one computer available for use in its law library, as described above, for legal research, and DDC staff indicated that other computers were available for detainee use upon request.<sup>100</sup> However, no printers were available for detainee use.<sup>101</sup> One male detainee indicated that he was aware of the computer access offered to detainees in furtherance of their legal research, but he had never requested computer access.<sup>102</sup> Another detainee was not aware that the library has a computer and said that he was not provided access to functioning typewriters or computers.<sup>103</sup> Because detained women are provided only with access to a wheeled cart of legal materials,<sup>104</sup> and segregated detainees are not provided any access to the law library, as described above,<sup>105</sup> computer access is simply not available to women and segregated detainees.

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<sup>93</sup> Observations of delegation member [redacted] (b)(6)

<sup>94</sup> Notes of delegation member [redacted] on conversation with Captain [redacted] (b)(6), (b)(7)c and ICE Officer [redacted] (b)(6), (b)(7)c

<sup>95</sup> Notes of delegation member [redacted] on conversation with Captain [redacted] and ICE Officer [redacted]

<sup>96</sup> Notes of delegation member [redacted] (b)(6) on conversation with Warden [redacted]

<sup>97</sup> Notes of delegation member [redacted] on conversation with Warden [redacted] (b)(6), (b)(7)c

<sup>98</sup> Notes of delegation member [redacted] on conversation with Warden [redacted]

<sup>99</sup> Detention Operations Manual, Detainee Services, Standard 1, Section III.B.

<sup>100</sup> Notes of delegation member [redacted] on conversation with Warden [redacted] (b)(6), (b)(7)c

<sup>101</sup> Notes of delegation member [redacted] on conversation with Warden [redacted]

<sup>102</sup> Notes of delegation member [redacted] on conversation with detainee [redacted] (b)(6), (b)(7)c

<sup>103</sup> Notes of delegation member [redacted] (b)(6) on conversation with detainee [redacted] (b)(6), (b)(7)c

<sup>104</sup> Notes of delegation member [redacted] on conversation with Warden [redacted]

<sup>105</sup> Notes of delegation member [redacted] on conversation with Warden [redacted] (b)(6), (b)(7)c

Paper and pens are available to detainees from DDC and are included in packages provided to indigent detainees.<sup>106</sup> One detainee stated that the provided pens, which appear to be special prison-issued, were difficult to use.<sup>107</sup>

## 5. Assistance From Other Detainees

The Standards specify that each facility shall permit detainees to assist other detainees in researching and preparing legal documents upon request, except when such assistance poses a security risk.<sup>108</sup>

**DDC appears to meet this section of the Standards.** The Inmate Handbook provides that inmates of the facility may obtain legal assistance from other inmates.<sup>109</sup> It is not clear if detainees are aware of this policy, however.

## 6. Photocopies

The Standards provide that each facility shall ensure that detainees can obtain photocopies of legal materials, when such copies are reasonable and necessary for legal proceedings involving the detainee.<sup>110</sup> Enough copies must be provided so that a detainee can fulfill court procedural rules and retain a copy for his records.<sup>111</sup> Facility personnel may not read a document that on its face is clearly related to a legal proceeding involving the detainee.<sup>112</sup>

**DDC meets this section of the Standards.** Detainees at DDC may make copies of legal materials.<sup>113</sup> One detainee who requested that photocopies be made of certain legal documents reported no difficulties obtaining the photocopies, and was not required to pay for such copies.<sup>114</sup> However, one detainee stated that it took three (3) weeks for him to obtain copies of documents for his legal proceedings.<sup>115</sup>

## 7. Personal Legal Materials

The Standards specify that a facility shall permit detainees to retain all personal legal material upon admittance to the general population or segregation, unless such material creates a safety, security, and-or sanitation hazard.<sup>116</sup> The facility may require detainees with a large amount of personal legal material to place some material in a storage area, with access permitted during designated hours.<sup>117</sup> The facility must grant requests for access to such stored legal

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<sup>106</sup> Notes of delegation member [REDACTED], on conversation with Warden [REDACTED]

<sup>107</sup> Notes of delegation member [REDACTED], on conversation with detainee [REDACTED]

<sup>108</sup> Detention Operations Manual, Detainee Services, Standard 1, Section III.K.

<sup>109</sup> Inmate Handbook at 13.

<sup>110</sup> Detention Operations Manual, Detainee Services, Standard 1, Section III.J.

<sup>111</sup> Detention Operations Manual, Detainee Services, Standard 1, Section III.J.

<sup>112</sup> Detention Operations Manual, Detainee Services, Standard 1, Section III.J.

<sup>113</sup> Notes of delegation member [REDACTED], on conversation with Warden [REDACTED]

<sup>114</sup> Notes of delegation member [REDACTED], on conversation with detainee [REDACTED]

<sup>115</sup> Notes of delegation member [REDACTED], on conversation with detainee [REDACTED]

<sup>116</sup> Detention Operations Manual, Detainee Services, Standard 1, Section III.K [sic].

<sup>117</sup> Detention Operations Manual, Detainee Services, Standard 1, Section III.K [sic].

material as soon as possible, but not later than 24 hours after receipt of the request, unless there are documented security concerns that preclude action within this time frame.<sup>118</sup>

**It is unclear whether DDC meets this section of the Standards: although staff indicated that legal materials would be available for detainees, one detainee indicated that he could not access his documents, and another that she had trouble accessing her documents despite multiple requests.** DDC staff indicated that excess legal documents would be placed in a detainee's stored personal property and would be available for detainee access as needed pursuant to DDC procedures.<sup>119</sup> The Inmate Handbook specifies that legal correspondence is exempt from the requirement that excess mail be placed in a detainee's stored personal property.<sup>120</sup> One detainee indicated that he was allowed to keep legal documents in his cell and reported no problems accessing and retaining such materials.<sup>121</sup> Another detainee reported that he could not access his documents.<sup>122</sup> According to this detainee, this is one of the most serious problems at DDC; he has requested his legal documents but they have not been provided.<sup>123</sup> A third detainee had her legal documents placed in storage upon intake and has had trouble having access to them despite multiple requests.<sup>124</sup>

#### IV. OTHER PROVISIONS OF THE ICE DETENTION STANDARDS

##### A. Correspondence and Other Mail

The Standards provide that all facilities will ensure that detainees send and receive correspondence in a timely manner, subject to limitations required for the safety, security and orderly operation of the facility; and that the guidelines of each facility pertaining to correspondence and other mail will be widely distributed within the facility.<sup>125</sup>

##### 1. Detainee Notification of Facility Policy

The Standards provide that the facility shall notify detainees of its policy on correspondence and other mail through the detainee handbook or equivalent provided to each detainee upon admittance.<sup>126</sup> At a minimum, the notification shall specify: (i) that a detainee may receive mail, the mailing address of the facility and instructions on how envelopes should be addressed; (ii) that a detainee may send mail, the procedure for sending mail, and instructions on how outgoing mail must be addressed; (iii) that general correspondence and other mail addressed to detainees shall be opened and inspected in the detainee's presence, unless the OIC authorizes inspection without the detainee's presence for security reasons; (iv) that special correspondence may only be opened in the detainee's presence, and may be inspected for contraband, but not

<sup>118</sup> Detention Operations Manual, Detainee Services, Standard 1, Section III.K [sic].

<sup>119</sup> Notes of delegation member (b)(6) on conversation with Captain (b)(6), (b)(7)c

<sup>120</sup> Inmate Handbook at 12.

<sup>121</sup> Notes of delegation member (b)(6), on conversation with detainee (b)(6), (b)(7)c

<sup>122</sup> Notes of delegation member (b)(6) on conversation with detainee (b)(6), (b)(7)c

<sup>123</sup> Notes of delegation member (b)(6) on conversation with detainee (b)(6), (b)(7)c

<sup>124</sup> Notes of delegation members (b)(6) and (b)(6) on conversation with detainee (b)(6), (b)(7)c (b)(6), (b)(7)c.

<sup>125</sup> Detention Operations Manual, Detainee Services, Standard 3, Section I.

read; (v) the definition of special correspondence, including instructions on the proper labeling for special correspondence, without which it will not be treated as special mail. The notification shall clearly state that it is the detainee's responsibility to inform senders of special mail of the labeling requirement; (vi) that packages may not be sent or received without advance arrangements approved by the OIC and provide the procedure for obtaining such approval; (vii) a description of mail which may be rejected by the facility and which the detainee will not be permitted to keep in his/her possession, etc. The facility will make all reasonable efforts to provide key information to detainees in languages spoken by any significant portion of the facility's population.<sup>127</sup>

**DDC does notify the detainees of several of the provisions listed above regarding correspondence and other mail in the Inmate Handbook.<sup>128</sup> However, several of the requisite policies (i.e., sections (ii), (iii), (v), (vi), and (vii) listed above) are not included in the Inmate Handbook.<sup>129</sup>**

## **2. Inspection of Incoming and Outgoing Correspondence and Other Mail**

The Standards provide that facilities may open and inspect incoming general correspondence and other mail (including packages and publications) for contraband in the presence of the detainee.<sup>130</sup> With respect to “**special correspondence**,” which includes the detainee's written communications to or from private attorneys and other legal representatives, government attorneys, judges, courts, embassies and consulates, members of the U.S. Congress, and representatives of the news media, the Standards provide that facility staff shall neither read nor copy Special Correspondence.<sup>131</sup> Inspection of incoming special correspondence is limited to the purposes of detecting physical contraband and confirming that enclosures qualify as special correspondence.<sup>132</sup> Outgoing special correspondence will not be opened, inspected or read.<sup>133</sup>

**The DDC appears to meet this section of the Standards.** The Inmate Handbook states that “[a]ll incoming parcels and letters will be opened and checked for contraband.”<sup>134</sup> It also states that “[l]egal items are exempt from this procedure” and that detainees “will open legal

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<sup>126</sup> Detention Operations Manual, Detainee Services, Standard 3, Section III.B.

<sup>127</sup> Detention Operations Manual, Detainee Services, Standard 3, Section III.B.

<sup>128</sup> Inmate Handbook at 11.

<sup>129</sup> Inmate Handbook at 11.

<sup>130</sup> Detention Operations Manual, Detainee Services, Standard 3, Section III.E.1.

<sup>131</sup> Detention Operations Manual, Detainee Services, Standard 3, Section III.E.2.

<sup>132</sup> Detention Operations Manual, Detainee Services, Standard 3, Section III.E.2.

<sup>133</sup> Detention Operations Manual, Detainee Services, Standard 3, Section III.F.2.

<sup>134</sup> Inmate Handbook at 11.

material in the presence of an Officer.”<sup>135</sup> DDC personnel confirmed that the approach described in the Inmate Handbook is implemented in the facility.<sup>136</sup>

### 3. Postage Allowance

The Standards provide that indigent detainees will be allowed to send a reasonable amount of mail each week, including up to five pieces of special correspondence and three pieces of general correspondence.<sup>137</sup> All such mail related to a legal matter will be sent at government expense.<sup>138</sup>

**The DDC does not appear to meet this section of the Standards: the Handbook indicates that indigent inmates are billed for materials.** The Inmate Handbook states that the “indigent allowance/welfare package” includes 4 sheets of writing paper, 2 stamped envelopes and 1 pen (on a on-to-one exchange) and that “[i]nmates who are indigent will be allowed paper, pen and stamped envelopes though the commissary, in accordance to its rules.”<sup>139</sup> However, the Handbook states that indigent inmate accounts will be billed \$2.35 per packet received, to be charged when funds are received.<sup>140</sup>

### 4. Writing Implements, Paper and Envelopes

The Standards provide that the facility shall provide writing paper, writing implements and envelopes at no cost to detainees.<sup>141</sup>

**The DDC does not appear to meet this section of the Standards: there is no indication in the Inmate Handbook that detainees may obtain paper, writing implements, and envelopes free of charge.** The Inmate Handbook indicates that inmates may purchase items from the commissary,<sup>142</sup> and “[i]nmates who are indigent will be allowed paper, pen and stamped envelopes though the commissary, in accordance to its rules.”<sup>143</sup> However, as stated above, the Handbook indicates that there is a charge to indigent inmate accounts for these materials.<sup>144</sup>

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<sup>135</sup> Inmate Handbook at 11.

<sup>136</sup> Notes of delegation member [REDACTED] b6 on conversation with Captain [REDACTED] (6), (b)(7) and another Captain at the facility. Specifically, the Captains confirmed that legal communications that are clearly marked as such are opened in the presence of the addressee and are searched for unauthorized material but are not read.

<sup>137</sup> Detention Operations Manual, Detainee Services, Standard 3, Section III.I.

<sup>138</sup> Detention Operations Manual, Detainee Services, Standard 3, Section III.I.

<sup>139</sup> Inmate Handbook at 11.

<sup>140</sup> Inmate Handbook at 11.

<sup>141</sup> Detention Operations Manual, Detainee Services, Standard 3, Section III.J.

<sup>142</sup> See Inmate Handbook at 10, “From the personal section of the commissary list you may purchase 2 each from that list not including envelopes, pen...”

<sup>143</sup> Inmate Handbook, Mail, at 11.

<sup>144</sup> Inmate Handbook at 11.

## B. Inmate Handbook

The Standards require that every Officer in Charge develop a site-specific detainee handbook to serve as an overview of detention policies, rules, and procedures.<sup>145</sup> The handbook must notify detainees of the facility correspondence policy.<sup>146</sup> The handbook must also state that detainees have the opportunity to submit written questions, requests, or concerns to ICE staff and the procedures for doing so.<sup>147</sup> The Officer in Charge will provide a copy of the handbook to every staff member who has contact with detainees.<sup>148</sup>

**The DDC does not meet this section of the Standards: the Inmate Handbook lacks required information for ICE detainees on correspondence, grievance procedures, and communications with ICE.** There is no handbook specifically for ICE detainees; the Inmate Handbook includes one section on the last page marked “INS Detainees,” which simply states the contact information for the U.N. High Commissioner for Refugees (UNHCR).<sup>149</sup> As mentioned above, the Inmate Handbook lacks important information for detainees on correspondence privileges, including correspondence for indigent detainees.<sup>150</sup> As mentioned below, the Inmate Handbook lacks required, important information regarding grievance procedures;<sup>151</sup> and it also does not include information regarding submitting questions or concerns to ICE staff.<sup>152</sup>

## C. Religious Practices

The Detention Standards suggest that detainees of different religious beliefs be provided with reasonable and equitable opportunities to participate in the practices of their respective faiths.<sup>153</sup> According to the Standards, these “opportunities will exist for all equally, regardless of the number of practitioners of a given religion, whether the religion is ‘mainstream,’ whether the religion is ‘Western’ or ‘Eastern,’ or other such factors. Opportunities will be constrained only by concerns about safety, security, the orderly operation of the facility, or extraordinary costs associated with a specific practice.”<sup>154</sup> Moreover, a facility’s staff shall make “all reasonable efforts to accommodate” special food services required by a detainee’s particular religion.<sup>155</sup> Detainees in confinement must also be permitted to participate in religious practices, consistent with the safety, security, and orderly operation of the facility.<sup>156</sup>

**DDC does not fully meet this section of the Standards: it appears that Muslims are restricted in practicing their faith.** While DDC provides a “non-denominational” religious

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<sup>145</sup> Detention Operations Manual, Detainee Services, Standard 6, Section I.

<sup>146</sup> Detention Operations Manual, Detainee Services, Standard 3, Section III.B.

<sup>147</sup> Detention Operations Manual, Detainee Services, Standard 15, Section III.B.3.

<sup>148</sup> Detention Operations Manual, Detainee Services, Standard 6, Section III.H.

<sup>149</sup> Inmate Handbook at 15.

<sup>150</sup> Inmate Handbook at 11.

<sup>151</sup> Inmate Handbook at 7.

<sup>152</sup> Inmate Handbook.

<sup>153</sup> Detention Operations Manual, Detainee Services, Standard 14, Section I.

<sup>154</sup> Detention Operations Manual, Detainee Services, Standard 14, Section I.

<sup>155</sup> Detention Operations Manual, Detainee Services, Standard 14, Section III.M.

<sup>156</sup> Detention Operations Manual, Detainee Services, Standard 14, Section III.O.

service in the gymnasium on Sunday mornings.<sup>157</sup> A Muslim service is permitted in the library on Fridays.<sup>158</sup> However, those of Muslim faith are treated differently from those of Christian faith. One Muslim detainee explained that he was punished (put in disciplinary segregation for 24 hours) for praying outside of the Friday and Sunday services. The detainee explained that Muslims typically pray every morning, and that the DDC does not allow him to do so.<sup>159</sup> In addition, he complained that officers removed the leather from his bound copy of the Koran “for security reasons,” but that other detainees and inmates have retained leather-bound copies of the Bible.<sup>160</sup>

#### D. Voluntary Work Program

The Standards suggest that all facilities with work programs provide an opportunity for physically and mentally capable detainees to “work and earn money.”<sup>161</sup> Participation must be voluntary, and detainees may not work more than eight hours per day, and forty (40) hours per week.<sup>162</sup>

**It is unclear whether the DDC meets this section of the Standards: information provided by facility staff differs from that provided by a detainee, who stated that only one detainee has been able to obtain work at the facility.** According to Warden (b)(6), (b)(7)c, inmates and detainees are permitted to work in the facility if such work is approved by the Warden or his designee.<sup>163</sup> The pay is \$ 2.00 a day and is contingent upon certain conditions and requirements.<sup>164</sup> One detainee, however, stated that there is only one detainee permitted to work in the facility and that he had asked for work but was not given the opportunity.<sup>165</sup>

#### E. Special Management Unit

The Standards state that a detainee may be placed in disciplinary segregation only by order of the Institutional Disciplinary Committee, after a hearing in which the detainee has been found to have committed a prohibited act.<sup>166</sup> Recreation shall be provided to detainees in disciplinary segregation in accordance with the “Recreation” standard.<sup>167</sup> Access to the law library shall generally be granted to detainees in segregation.<sup>168</sup> Detainees generally retain visiting privileges while in disciplinary segregation.<sup>169</sup> Detainees in disciplinary segregation may make telephone calls relating to the detainee’s immigration case or other matters, calls to

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<sup>157</sup> Notes of delegation member (b)(6), on conversation with Warden (b)(6), (b)(7)c  
<sup>158</sup> Notes of delegation member (b)(6), on conversation with Warden (b)(6), (b)(7)c  
<sup>159</sup> Notes of delegation member b6, on conversation with detainee (b)(6)  
<sup>160</sup> Notes of delegation member b6, on conversation with detainee (b)(6)  
<sup>161</sup> Detention Operations Manual, Detainee Services, Standard 37, Sections I & III.A.  
<sup>162</sup> Detention Operations Manual, Detainee Services, Standard 37, Sections III.A & H.  
<sup>163</sup> Notes of delegation member (b)(6), on conversation with Warden (b)(6), (b)(7)c  
<sup>164</sup> Notes of delegation member (b)(6), on conversation with Warden (b)(6), (b)(7)c  
<sup>165</sup> Notes of delegation member b6, conversation with detainee (b)(6)  
<sup>166</sup> Detention Operations Manual, Security and Control, Standard 14, Section III.A.  
<sup>167</sup> Detention Operations Manual, Security and Control, Standard 14, Section III.D.13.  
<sup>168</sup> Detention Operations Manual, Security and Control, Standard 14, Section III.D.15.e.  
<sup>169</sup> Detention Operations Manual, Security and Control, Standard 14, Section III.D.17.

consular/embassy officials, and family emergency calls.<sup>170</sup> Also, detainees in segregation shall have the same correspondence privileges as detainees in the general population.<sup>171</sup>

**The DDC does not meet this section of the Standards: detainees in segregation do not have access to legal materials.** The DDC Handbook does not specify the specific rules regarding disciplinary segregation.<sup>172</sup> In our interview, Warden (b)(6), (b)(7)c made it clear that inmates/detainees subject to disciplinary segregation had “limited privileges.”<sup>173</sup> According to Warden (b)(6), (b)(7)c, detainees in segregation are not given access to legal materials.<sup>174</sup>

## F. Detainee Grievance Procedures

The Standards require that every facility develop and implement standard procedures for handling detainee grievances and encourage that the facility initially seek to resolve grievances informally before having to engage in a more formalized procedure.<sup>175</sup> The Standards also require that each facility establish a reasonable time limit for: (1) “processing, investigating, and responding to grievances;” (2) “convening a grievance committee to review formal complaints;” and (3) “providing written responses to detainees who filed formal grievances, including the basis for the decision.”<sup>176</sup> The detainee handbook must provide notice of the opportunity to file informal and formal grievances, the procedures for filing a grievance and appeal, the right to have the grievance referred to higher levels if the detainee is not satisfied, and the policy prohibiting staff from harassing, disciplining, punishing, or otherwise retaliating against any detainee for filing a grievance.<sup>177</sup> All grievances must receive supervisory review, include guarantees against reprisal, and allow for appeals.<sup>178</sup>

**The DDC does not fully meet this Standard: the Handbook does not indicate the process for filing an appeal, or state policy prohibiting retaliation for filing a grievance.**<sup>179</sup> The Inmate Handbook provides that written grievances may be submitted “after you have exhausted all other means by inmate request slips.”<sup>180</sup> The Inmate Handbook does not indicate whether detainees receive written responses to grievances, whether grievances receive supervisory review, or whether there is an appeals process. Although one detainee indicated that he knew whom to contact regarding a grievance,<sup>181</sup> another detainee had never filed a grievance because he had seen others denied (i.e., no favorable action taken on other grievances filed).<sup>182</sup>

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<sup>170</sup> Detention Operations Manual, Security and Control, Standard 14, Section III.D.19.

<sup>171</sup> Detention Operations Manual, Security and Control, Standard 14, Section III.D.18.

<sup>172</sup> Inmate Handbook at 7.

<sup>173</sup> Notes of delegation member (b)(6) on conversation with Warden (b)(6), (b)(7)c

<sup>174</sup> Notes of delegation member (b)(6) on conversation with Warden (b)(6), (b)(7)c

<sup>175</sup> Detention Operations Manual, Detainee Services, Standard 5, Sections I & III.A.

<sup>176</sup> Detention Operations Manual, Detainee Services, Standard 5, Section I.

<sup>177</sup> Detention Operations Manual, Detainee Services, Standard 5, Section III.G.

<sup>178</sup> Detention Operations Manual, Detainee Services, Standard 5, Sections I & III.C & D.

<sup>179</sup> Inmate Handbook at 7.

<sup>180</sup> Inmate Handbook at 7.

<sup>181</sup> Notes of delegation member (b)(6) on conversation with detainee (b)(6)

<sup>182</sup> Notes of delegation member (b)(6) on conversation with detainee (b)(6)

## G. Disciplinary Policy

The Standards state that facility authorities “will impose disciplinary sanctions on any detainee whose behavior is not in compliance with facility rules and procedures” in order “to provide a safe and orderly living environment.”<sup>183</sup> Each facility holding ICE detainees must have a detainee disciplinary system which has “progressive levels of reviews, appeals, procedures, and documentation procedures.”<sup>184</sup> Any disciplinary action taken must not be capricious or retaliatory and the following sanctions may not be imposed: “corporal punishment; deviations from normal food services; deprivation of clothing, bedding, or items of personal hygiene; deprivation of correspondence privileges; or deprivation of physical exercise unless such activity creates an unsafe condition.”<sup>185</sup> An intermediate level of investigation or adjudication must be established to adjudicate low or moderate infractions.<sup>186</sup>

**The DDC appears to meet this Standard.** In our interview, Warden (b)(6), (b)(7)c explained that inmates and detainees have the right to a hearing when there is a written-up disciplinary incident.<sup>187</sup> The DDC Handbook provides that the inmate (or detainee) can call witnesses.<sup>188</sup> Disciplinary proceedings can result in the loss of privileges, solitary confinement, loss of “good time” credit, and other sanctions.<sup>189</sup> The Handbook also provides that a hearing officer (“HO”) conducts a hearing on major rules violations.<sup>190</sup> After the hearing, the HO determines whether the infraction has occurred and determines the appropriate punishment.<sup>191</sup> An inmate or detainee that is unhappy with the result of his or her hearing can appeal the decision to the Warden.<sup>192</sup>

## H. Medical Care

The Standards state that a facility must provide detainees with initial medical and dental screenings, primary medical care, and emergency care.<sup>193</sup> Facilities with 50 to 200 detainees should have sick call at least three days per week; and facilities with over 200 detainees should have sick call at least five days per week.<sup>194</sup> Arrangements should be made with local facilities to provide health care not available on site.<sup>195</sup> A physician or qualified medical officer should be available to examine detainees, and there should be a regular sick call schedule depending on the

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<sup>183</sup> Detention Operations Manual, Security and Control, Standard 5, Section I.

<sup>184</sup> Detention Operations Manual, Security and Control, Standard 5, Section III.A.1.

<sup>185</sup> Detention Operations Manual, Security and Control, Standard 5, Sections III.A.2 & 3.

<sup>186</sup> Detention Operations Manual, Security and Control, Standard 5, Section III.C.

<sup>187</sup> Notes of delegation member (b)6 on discussion with Warden (b)(6), (b)(7)c

<sup>188</sup> Inmate Handbook, Sanctions, at 7.

<sup>189</sup> Inmate Handbook, Sanctions, at 7.

<sup>190</sup> Inmate Handbook, Sanctions, at 6.

<sup>191</sup> Inmate Handbook, Sanctions, at 7.

<sup>192</sup> Inmate Handbook, Sanctions, at 7.

<sup>193</sup> Detention Operations Manual, Health Services, Standard 2, Sections III.A & E.

<sup>194</sup> Detention Operations Manual, Health Services, Standard 2, Sections III.F.

<sup>195</sup> Detention Operations Manual, Health Services, Standard 2, Sections III.A.

size of the facility.<sup>196</sup> Also, translation services should be available when medical treatment is provided.<sup>197</sup>

**It is unclear whether the DDC meets this Standard: according to detainees, sick call does not take place with the required frequency, treatment is slow, and translators are not available.** According to the Inmate Handbook, detainees receive a physical examination by the facility’s physician within 14 days of arrival.<sup>198</sup> The Inmate Handbook states that elective procedures to correct pre-existing medical/dental problems are generally not performed unless the detainee’s health is in jeopardy.<sup>199</sup>

During our tour, Warden (b)(6), (b)(7)c explained that there were two medical staff and that the medical staff visits every morning. The ability for detainees to meet with a physician is not automatic; the nurses screen requests.<sup>201</sup> However, according to Warden (b)(6), (b)(7)c, if multiple requests are made and denied by the nurse, a further review is conducted. He also noted that a mental health counselor is provided and two psychiatrists come in weekly, and that the Center is nationally recognized in the mental health area.<sup>203</sup>

According to the Inmate Handbook, routine sick calls are conducted twice weekly; there is a \$2.00 sick call charge, which can be waived if an inmate is directed by medical staff to “follow-up the sick call,” or if there is a physical examination or a medical emergency.<sup>204</sup> Two detainees indicated that in fact the nurse comes only once a week, and that detainees are instructed to write their requests but that responses are slow.<sup>205</sup> According to the Standards, in the case of the Center, sick calls should be made at least three days per week (based on the number of detainees, or five days per week if all inmates are included).<sup>206</sup> It is clear that the once or twice a week sick calls made by the Center do not meet the Standards.

One detainee indicated that no translators are made available.<sup>207</sup> Another detainee stated that it was difficult to see a physician since the nurse decides whether consultation is necessary.<sup>208</sup> In response to a question whether this detainee had been denied medical attention, he responded that he had complained about his ears and that they needed to be flushed, but he was given drops which worked for only a few days, and that he had subsequently sought further

<sup>196</sup> Detention Operations Manual, Health Services, Standard 2, Sections III.F.

<sup>197</sup> Detention Operations Manual, Health Services, Standard 2, Sections III.D.

<sup>198</sup> Inmate Handbook at 10.

<sup>199</sup> Inmate Handbook at 10.

<sup>200</sup> Notes of delegation member (b)(6) on conversation with Warden (b)(6), (b)(7)c

<sup>201</sup> Notes of delegation member (b)(6) on conversation with Warden (b)(6), (b)(7)c

<sup>202</sup> Notes of delegation member (b)(6) on conversation with Warden (b)(6), (b)(7)c

<sup>203</sup> Notes of delegation member (b)(6) on conversation with Warden (b)(6), (b)(7)c

<sup>204</sup> Inmate Handbook at 9.

<sup>205</sup> Notes of delegation member (b)(6), on conversations with detainees (b)(6)

<sup>206</sup> Detention Operations Manual, Health Services, Standard 2, Sections III.F.

<sup>207</sup> Notes of delegation member (b)(6), on conversation with detainee (b)(6)

<sup>208</sup> Notes of delegation member (b)(6), on conversation with detainee (b)(6)

treatment which was denied.<sup>209</sup> This detainee also complained that recreation time would be denied to detainees if they were on prescription medication or such mild medication as Tylenol or Advil.<sup>210</sup>

## I. Staff-Detainee Communication

The Standards require that procedures be in place “to allow for formal and informal contact between key facility staff and ICE staff and ICE detainees and to permit detainees to make written requests to ICE staff and receive an answer in an acceptable time frame.”<sup>211</sup> The Standards suggest that both weekly visits be conducted by ICE personnel.<sup>212</sup> Unannounced visits to the facility’s housing areas must be conducted on a regular basis.<sup>213</sup> The Standards also require that detainees “have the opportunity to submit written questions, requests, or concerns to ICE staff,” which “shall be delivered to ICE staff by authorized personnel (not detainees) without reading, altering, or delay.”<sup>214</sup> All facilities that house ICE detainees must have “written procedures to route detainee requests to the appropriate ICE official” and must assist detainees “who are disabled, illiterate, or know little or no English.”<sup>215</sup> The handbook must state that the detainee may submit written questions, requests, or concerns to ICE staff and the procedure for doing so.<sup>216</sup>

**The DDC does not fully meet this Standard: the Handbook does not mention communication with ICE staff.<sup>217</sup> In addition, detainees expressed difficulty obtaining information from ICE.** We were told by Warden (b)(6), (b)(7)c that one or two ICE officers are generally at the DDC Center on a daily basis, except for Sundays, and that deportation officers come at least once every 2 weeks and a schedule is posted in the detainees’ cell block.<sup>218</sup> However, more than one detainee complained that he was unable to find out about the status of his deportation case despite repeated requests.<sup>219</sup>

## V. CONCLUSION

Our overall impression of the DDC facility was that it was an orderly facility that was tightly run according to a set of rules that offered little, if any, flexibility. While many rules are in place, the DDC does not meet many of the specific provisions set forth in the Standards, and in some cases overtly does not aim to do so – the stated objective for the facility is for all inmates

<sup>209</sup> Notes of delegation member (b)(6) on conversation with detainee (b)(6)

<sup>210</sup> Notes of delegation member (b)(6) on conversation with detainee (b)(6)

<sup>211</sup> Detention Operations Manual, Detainee Services, Standard 15, Section I.

<sup>212</sup> Detention Operations Manual, Detainee Services, Standard 15, Section III.A.

<sup>213</sup> Detention Operations Manual, Detainee Services, Standard 15, Section III.A.1.

<sup>214</sup> Detention Operations Manual, Detainee Services, Standard 15, Section III.B.

<sup>215</sup> Detention Operations Manual, Detainee Services, Standard 15, Section III.B.

<sup>216</sup> Detention Operations Manual, Detainee Services, Standard 15, Section III.B.3.

<sup>217</sup> Inmate Handbook.

<sup>218</sup> Notes of delegation member (b)(6), on conversation with Warden (b)(6), (b)(7)c

<sup>219</sup> Notes of delegation member (b)(6) in conversations with detainees (b)(6)

(b)(6)

and detainees to be treated equally. While equality is a good objective in many instances, in this situation it has the effect of ignoring legitimate differences between inmates and immigrants in administrative detention that are reflected by the Standards. Additionally, the ICE representatives at the DDC seem to tolerate and accept the objective held by Warden and the DDC. (b)(6), (b)(7)c

There were many concerns raised by the interviewed detainees regarding Standards that were clearly not being met, and the unnecessary hardship detainees endure as a result. However, it appeared to the delegation members that the most consistent and important problem is lack of access to required legal materials in the law library. Also, the Inmate Handbook should include the required information for ICE detainees, including information regarding grievance procedures and appeals, and information on communicating with ICE.

Facility Name: **DORCHESTER DETENTION CENTER, Cambridge, MD**

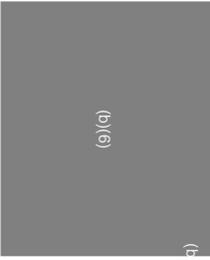
Date of Tour: **April 11, 2006**

Tour Participants: Dechert LLP attorneys [REDACTED]

*\*Standards are Detainee Services Standards unless otherwise indicated. Standards excerpts are typed verbatim. Issues are generally listed in their order from the Report.*

**Report comments in bold are priority issues for ICE-ABA discussion.**

	ICE Standard*	Delegation Report	Source	ICE Response
1.	<p>Standard 17, Visitation</p> <ul style="list-style-type: none"> <li>▪ I. To maintain detainee morale and family relationships, [ICE] encourages visits from family and friends.</li> <li>▪ III.H. The facility's written rules shall specify time limits for visits: 30 minutes minimum, under normal conditions.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Visits at the Dorchester Detention Center (DDC) are limited to 15 minutes, rather than 30, even for visitors who travel from great distances. (p.4 ¶¶3, 4)</li> <li>▪ Although Warden [REDACTED] stated that special visitation requests were permitted more often for ICE detainees, one detainee stated that his requests had been turned down. (p.4 ¶4)</li> </ul>	<p>Inmate detainee [REDACTED]</p> <p>Warden detainee [REDACTED]</p>	
2.	<p><b>Standard 17, Visitation</b></p> <ul style="list-style-type: none"> <li>▪ <b>III.I.2. Hours. The facility shall permit legal visitation seven days a week, including holidays. ... On regular business days, legal visitations may proceed through a scheduled meal period.</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Legal visits are not permitted during meals, though may continue after a meal. (p.3 ¶1 &amp; fn.14)</b></li> </ul>	<p>Warden [REDACTED]</p>	
3.	<p>Standard 16, Telephone Access</p> <ul style="list-style-type: none"> <li>▪ III.E. ... The facility shall enable all detainees to make calls to the [ICE]-provided list of free legal service providers and consulates at no charge to the detainee or the receiving party.</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>One detainee stated that the pre-programmed numbers do not reach the appropriate consular office; the numbers are for New York consular offices, which refer the detainees to the DC consular offices. (p.5 ¶4)</b></li> </ul>	<p>Detainee [REDACTED]</p>	
4.	<p>Standard 1, Access to Legal Material</p> <ul style="list-style-type: none"> <li>▪ III.A. The facility shall provide a law library in a designated room with sufficient space to facilitate detainees' legal research and writing.</li> <li>▪ III.B. Equipment. The law library shall provide an adequate number of typewriters and/or computers, writing implements, paper and office supplies to enable detainees to prepare documents for legal proceedings.</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Women and detainees in segregation do not have access to the law library, and do not have access to the computers. (p.9 ¶4)</b></li> <li>▪ <b>There is only one computer available in the law library for legal research, though DDC staff indicated other computers are available upon request. (p.9 ¶4)</b></li> </ul>	<p>Warden [REDACTED]</p> <p>Warden [REDACTED]</p>	

5.	<p><b>Standard 1, Access to Legal Material</b></p> <ul style="list-style-type: none"> <li>III.C. The law library shall contain the materials listed in Attachment A. ... The facility shall post a list of its holdings in the law library.</li> <li>III.E. ... The facility shall designate an employee responsible for updating legal materials, inspecting them weekly, ... and replacing them promptly as needed.</li> </ul>	<ul style="list-style-type: none"> <li>Women do not have access to the law library, and the cart of legal materials that is brought to their pods does not contain the required legal materials. (p.7 ¶2)</li> <li>No list of materials available was visible in the library. (p.8 ¶3)</li> <li>Facility and ICE staff stated that there is no formal process in place for cataloguing current and newly arrived materials in the facility, for verifying the range of computer materials available, or for ensuring that the law library contains all of the materials specified in Attachment A. (p.9 ¶2)</li> </ul>	<p><b>Detainee</b>  </p> <p><b>Delegation observations.</b></p> <p><b>Warden</b> <b>s,</b>  <b>ICE Officer</b>  </p>	
6.	<p><b>Standard 1, Access to Legal Material</b></p> <ul style="list-style-type: none"> <li>III.G. The facility shall...permit all detainees, regardless of housing or classification, to use the law library on a regular basis. Each detainee shall be permitted to use the law library for a minimum of five (5) hours per week.</li> <li>III.M. Detainees housed in ... Segregation units shall have the same law library access as the general population, unless compelling security concerns require limitations.</li> </ul>	<ul style="list-style-type: none"> <li>Five detainees all stated (in separate interviews) that law library access is limited to one hour per week, on Wednesdays. One detainee stated that with such limited time each week it took a very long time to type up materials for his legal proceedings. (p.6 ¶5)</li> <li>Women do not have access to the law library, and the cart of legal materials that is brought to their pods does not contain the required legal materials. (p.7 ¶2)</li> <li>Warden  indicated that detainees in administrative or disciplinary segregation do not have access to the library. (p.7 ¶3)</li> </ul>	<p><b>Detainees</b>   (b)(6)</p> <p><b>Warden</b>  (b)(6)</p>	
7.	<p><b>Standard 1, Access to Legal Material</b></p> <ul style="list-style-type: none"> <li>III.K [sic]. Personal Legal Materials. ... The facility may require detainees with a large amount of personal legal material to place some of the material in a personal property storage area, with access permitted during designated hours.... The facility shall grant requests to such stored legal material as soon as possible, but not later than 24 hours after receipt of the detainee request, unless documented security concerns preclude action within this time frame.</li> </ul>	<ul style="list-style-type: none"> <li>Although staff indicated that legal materials would be available for detainees, one detainee indicated that he could not access his documents, and another that she had trouble accessing her documents despite multiple requests (p.11 ¶2)</li> </ul>	<p> (b)(6)</p>	

8.	<p><b>Standard 3, Correspondence and Other Mail</b></p> <ul style="list-style-type: none"> <li>▪ <b>III.B. The facility shall notify detainees of its policy in correspondence and other mail through the detainee handbook or equivalent ... [and] shall specify: ... 2. That a detainee may send mail, the procedure for sending mail, and instructions on how outgoing mail should be addressed; 3. That general correspondence and other mail addressed to detainees shall be opened and inspected in the detainee’s presence, unless the OIC authorizes inspection without the detainee’s presence for security reasons; 5. The definition of special correspondence, including instructions on the proper labeling for special correspondence, without which it will not be treated as special mail ...; 6. That packages may not be sent or received without advance arrangements approved by the OIC and provide the procedure for obtaining such approval; 7. A description of mail which may be rejected by the facility ....</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>The Inmate Handbook does not include: procedures for sending mail; that general correspondence shall be opened in the detainee’s presence; the definition of special correspondence and instructions on labeling; procedures for sending packages; and a description of mail that will not be accepted at the facility. (p.12 ¶2)</b></li> </ul>	<p><b>Inmate Handbook.</b></p>	
9.	<p><b>Standard 3, Correspondence and Other Mail</b></p> <ul style="list-style-type: none"> <li>▪ <b>III.I. Postage Allowance. The OIC shall establish procedures to provide indigent detainees the postage allowance that is available at government expense. Indigent detainees will be permitted to mail a reasonable amount of mail each week, including at least five pieces of special correspondence and three pieces of general correspondence.</b></li> <li>▪ <b>III.J. The facility shall provide writing paper, writing implements, and envelopes at no cost to detainees.</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>According to the Inmate Handbook, indigent inmates are billed \$2.35 for the “indigent allowance/welfare package,” which contains writing paper, 2 stamped envelopes, and 1 pen, with the money deducted when funds are received. (p.13 ¶3)</b></li> <li>▪ <b>The Inmate Handbook indicates that items are available for purchase at the Commissary, and that even indigent detainees will be billed for such items; it does not mention that paper, writing implements, and envelopes may be obtained at no cost to detainees. (p.13 ¶5)</b></li> </ul>	<p><b>Inmate Handbook.</b></p> <p><b>Inmate Handbook.</b></p>	
10.	<p><b>Standard 6, Detainee Handbook</b></p> <ul style="list-style-type: none"> <li>▪ <b>I. Every OIC will develop a site-specific detainee handbook to serve as an overview of ... the detention policies, rules, and procedures in effect at the facility. The handbook will also describe the services, programs, and opportunities available .... Every detainee will receive a copy of this handbook upon admission to the facility.</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>The Inmate Handbook does not include specific information for ICE detainees, except for providing the address of UNHCR. As detailed above and below, the Inmate Handbook lacks required and important information regarding correspondence, grievance procedures, and communicating with ICE. (p.14 ¶2)</b></li> </ul>	<p><b>Inmate Handbook.</b></p>	

<p>11. Standard 14, Religious Practices</p> <ul style="list-style-type: none"> <li>I. Detainees of different religious beliefs will be provided reasonable and equitable opportunities to participate in the practice of their respective faiths.</li> <li>III.B. When necessary for the security or good order of the facility, the OIC may limit attendance at or discontinue a religious activity.</li> </ul>	<ul style="list-style-type: none"> <li>One Muslim detainee stated that he was put into disciplinary segregation for 24 hours for praying outside of the Friday and Sunday services. Muslims typically pray every morning, but the DDC does not allow him to do so. (p.15 ¶1)</li> </ul>	<p>Detainee</p>
<p>12. Standard 18, Voluntary Work Program</p> <ul style="list-style-type: none"> <li>I. Every facility with a work program will provide detainees the opportunity to work and earn money.</li> </ul>	<ul style="list-style-type: none"> <li>Warden ██████████ stated that inmates and detainees are permitted to work in the facility if the work is approved. However, one detainee stated that only one detainee is permitted to work in the facility, and that his own request to work was denied. (p.15 ¶3)</li> </ul>	<p>Warden Detainee</p>
<p>13. Security and Control Standard 13, Special Management Unit (Administrative Segregation)</p> <ul style="list-style-type: none"> <li>III.D. Conditions of Administrative Segregation. Detainees in administrative segregation shall receive the same general privileges as detainees in the general population, consistent with available resources and security considerations.</li> </ul> <p>Security and Control Standard 14, Special Management Unit (Disciplinary Segregation)</p> <ul style="list-style-type: none"> <li>III.D.15. When developing the schedule for law library-access, the OIC will set aside blocks of time for the detainees in disciplinary segregation.... The facility may choose to provide segregated detainees upon-request access only. Violent and/or uncooperative detainees may be temporarily denied access to the law library ....</li> </ul>	<ul style="list-style-type: none"> <li>According to Warden ██████████, detainees in segregation to not have access to legal materials. (p.16 ¶2)</li> </ul>	<p>Warden</p>
<p>14. Standard 5, Detainee Grievance Procedures</p> <ul style="list-style-type: none"> <li>III.G. Detainee Handbook. ... The grievance section of the detainee handbook will provide notice of the following: ... 2. The procedures for filing a grievance and appeal, including the availability of assistance in preparing a grievance. ... 5. The policy prohibiting staff from harassing, disciplining, punishing or otherwise retaliating against any detainee for filing a grievance.</li> </ul>	<ul style="list-style-type: none"> <li>The Inmate Handbook does not indicate the process for filing a grievance appeal, or state policy prohibiting retaliation for filing a grievance. (p.16 ¶4)</li> </ul>	<p>Inmate Handbook.</p>

(b)(6), (b)(7)c

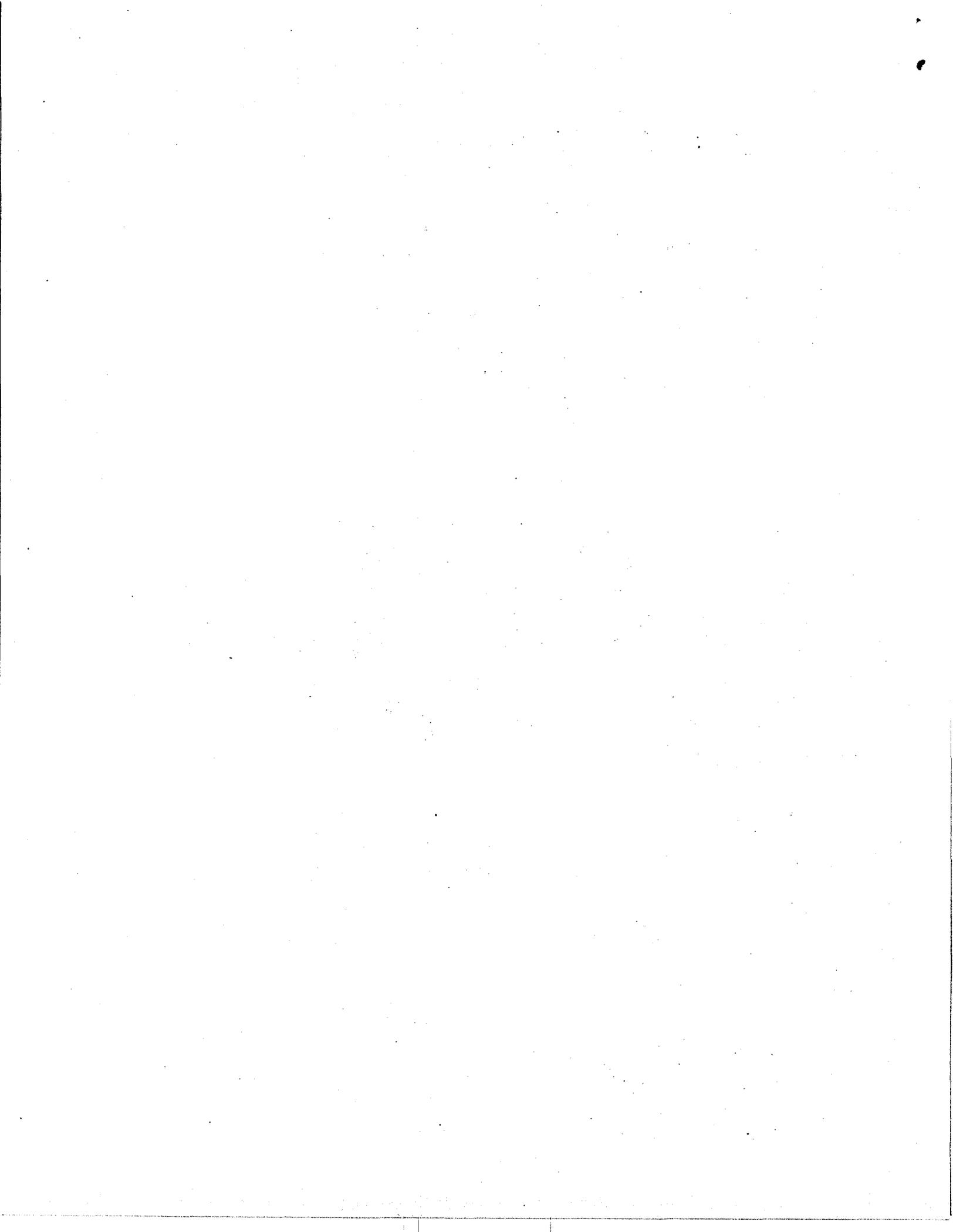
15.	<p>Health Services Standard 2, Medical Care</p> <ul style="list-style-type: none"> <li>▪ I. All detainees shall have access to medical services that promote detainee health and general well-being.</li> <li>▪ III.A. Every facility will provide its detainee population with initial medical screening, cost-effective primary medical care, and emergency care.</li> <li>▪ III.F. Each facility will have a mechanism that allows detainees the opportunity to request health care services provided by a physician or other qualified medical officers in a clinical setting. All facilities must have a procedure in place to ensure that all request slips are received by the medical facility in a timely manner.... Each facility will have regularly scheduled times, known as sick call, when medical personnel will be available to see detainees who have requested medical services.... Sick call will be regularly scheduled in accordance with the following minimum standards: ... 2. Facilities with 50 to 200 detainees – a minimum of 3 days per week; 3. Facilities with over 200 detainees – a minimum of 5 days per week.</li> </ul>	<ul style="list-style-type: none"> <li>▪ There were 59 ICE detainees at the facility at the time of the delegation visit, and a total population of 199 detainees and inmates. (p.2 ¶2) According to the Inmate Handbook, sick call is only provided two times per week; but two detainees indicated that a nurse only comes once per week. These detainees indicated that sick call response times are slow. (p.18 ¶4)</li> <li>▪ One detainee stated that no translators are made available. (p.18 ¶5)</li> </ul>	<p>Warden (b)(7)(D)</p> <p>Inmate (b)(7)(D)</p> <p>Detainee (b)(7)(D)</p>
16.	<p>Standard 15, Staff-Detainee Communication.</p> <ul style="list-style-type: none"> <li>▪ III.B. All detainees shall have the opportunity to submit written questions, requests, or concerns to ICE staff .... The detainee request form shall be delivered to ICE staff by authorized personnel (not detainees) without reading, altering, or delay.</li> <li>▪ III.B.3. Detainee Handbook. ... The handbook shall state that the detainee has the opportunity to submit written questions, requests, or concerns to ICE staff and the procedures for doing so ....</li> </ul>	<ul style="list-style-type: none"> <li>▪ The Inmate Handbook does not mention communication with ICE staff. (p.19 ¶3)</li> <li>▪ Detainees expressed difficulty obtaining case status from ICE, despite repeated requests. (p.19 ¶3)</li> </ul>	<p>Inmate Handbook.</p> <p>(b)(7)(D)</p>

**DORCHESTER  
DETENTION  
CENTER**

**INMATE  
INFORMATIONAL  
HANDBOOK**

**CMT#** \_\_\_\_\_

**REVISED: OCTOBER 17, 2003**



**TABLE OF CONTENT**  
**PAGE NUMBER**

<b>TITLE</b>	<b>PAGE NUMBER</b>
Introduction	1
Intake	1
Allowable Personal Items	1
Allowable Items in Your Cell	2
Personal and Facility Laundry	3
Detention Center Issued Clothing	3
Property	3
Non-Discrimination	3
Classification	3
Classification Review Process	3
Classification Hearing Appeal	4
Inmates Exerting Control	4
Protection From Abuse	4
Head Count Procedure	4
S.A.V.E	4
Rules and Regulations	4
Sanctions	6
Grievance Procedure	7
Smoking Policy	7
Program Participation	8
Educational and Substance Abuse Programs	8
Visitation	8
Visitation Schedule	8
Special Visits	8
Legal Visits	8
Cancellation of Visitation	8
Recreation	8
Telephone	9
Television	9
Work Release Program	9
Jobs	9
Medical Services	9
Sick Call	9
Physical Examination	10
Medication	10
Non-Prescription Medications	10
Special Diets	10
Religious Services	10
Library	10
Commissary	10
Indigent Allowance / Welfare Package	11
Meals	11
Mail	11
Money Order	11
Mail Accumulation	12
Newspapers	12
Magazines / books	12
Access to Media	12
Contraband	12
Search Policy	12
Cell Searches	12
General Housing Unit Requirements	12

Personal Hygiene	12
Sanitation	13
Maintenance Problems	13
Request Slips	13
Access to Records	13
Legal Matters	13
Parole Information	13
Release	13
Response to Emergency	14
Hair Cuts	14
Communicable Disease Policy	14
INS Detainees	15

**REVISED DATE: 17 OCTOBER 2003**

TO: INMATES - DORCHESTER DETENTION CENTER

From: (b)(6), (b)(7)c WARDEN

It is the policy of the Dorchester Detention Center (DDC) that all inmates incarcerated in this facility be made aware of the rules and regulation governing them. General information is also provided in this handbook. This handbook is provided to inform you of DDC rules, which you must follow and of available services. We hope this will assist you in adjusting to the institution and in planning for your return to your community.

#### **INTAKE**

The process system at the DDC consists of you being searched, assigned an institutional number, having your picture taken and filling out intake paperwork. Your property and clothing are taken from you. Valuables left in your possession are not to be sold, loaned or borrowed. The valuables that you do not wish to keep or are not allowed to be kept will be placed in your property. Valuables may be sent home upon your request within the first 30 days of incarceration. Removal of property can only be approved by the Chief of Programs. You may keep in your possession the following personal items.

1. Eye glasses or contact lenses
2. Hearing aids
3. False teeth
4. Wedding bands (NO STONES)
5. Personal legal materials

All property valued over \$50.00 must be sent home. Your money is taken, an inmate account is started in your name. The money may be spent in the commissary or returned to you upon release by a check written in your name. You have three (3) days to pick up your money or the money will be mailed to your last address. You will be permitted to make two (2) telephone calls on the inmate charge-call phone system to help arrange bond etc. All calls must be made at the expense of the receiving party.

#### **ALLOWABLE PERSONAL ITEMS**

Authorized items will be accepted Mondays thru Fridays with the exception of Wednesdays and Holidays between the hours of 8:00am and 4:00pm. The following items apply:

#### **AUTHORIZED FEMALE ITEMS**

- 6) Pair of Panties (white only or basic print)
- 6) Pair of socks (white only no stripes)
- 6) T-shirts (must be short sleeve, no pockets, crew neck, white only)
- 6) Bra (white no underwire)
- 2) Pair longjohns OCT 1 thru MAR 1 (white in color only)
- 1) Pair of tennis shoes\*

\*This facility will not be responsible for any item more than \$50.00 lost or damaged.

#### **AUTHORIZED MALE ITEMS**

- 6) Pair undershorts (white only or basic print)
- 6) Pair of socks (white only no stripes)
- 6) T-shirts (must be short sleeve, no pockets, crew neck, white only)
- 2) Pair longjohns OCT 1 thru MAR 1 (white in color only)
- 1) Pair of tennis shoes\*

\*This facility will not be responsible for any item more than \$50.00 lost or damaged.

#### **ALL CLOTHES MUST BE NEW AND UN-USED**

Staff members can and will refuse any unauthorized or any item deemed unsafe in the DDC.

**Court Clothes-** will be accepted 24 hours prior to the court date. They must be picked up the next day, after your court appearance is completed. If your court date is on a Monday the clothes may be left the Friday before.

**DORCHESTER DETENTION CENTER**  
**ALLOWABLE ITEMS FOR INMATES IN THEIR CELLS**

ITEM	AMOUNT
Inmate handbook	1
Eye glasses or contact lenses	1 set
Hearing aid	1 set
False teeth	1 set
Wedding Band	1 NO STONES
Personal legal materials	NO SET AMOUNT
Undershorts (white or basic print)	6
Crew neck short sleeve tee shirt(white in color no pockets)	6
Socks (white in color no stripes)	6
Longjohns (OCT 1 thru MAR 1) (white in color)	2 sets
Panties(female only, white or basic print in color)	6
Bras(Females only)(No underwire bras, white in color)	6
Tennis shoes (No pumps, removal straps, hard plastic or metal)	1 pair
Shower shoes	1 pair
Mattress	1
Sheets	2
Property Tub	1
DDC orange shirt	1
DDC orange pants	1
DDC orange shorts	1
Laundry bag	1
Blankets	2
Towel	1
Face cloth	1
Cup	1
Spork	1
Toilet paper	2 rolls
Commissary food items	50
Hygiene items	2 of each
Pen (DDC issued blue ink)	1
Pony tail rings	5
Letter/cards(Letters of four pages for a total of 80 pages)	20
Newspaper	1
Magazines/books(Including DDC library ,legal, and religious)	8
Pictures	20 total
Soft glasses case/contact lens case	1
Religious head cover (100% cloth materials)	1
Religious handmade woven symbols(string no wider than 1/8" diameter and no bigger than 2"x2"x1/4" must be loose fitting around the neck)	1
Any medication approved by the DDC (still in proper container, no more then two packets/containers of each medication)	2
Kitchen Issued Fruit	2 pieces

**CONTRABAND: CONTRABAND IS DEFINED AS ANY ARTICLE WHICH IS RECEIVED THROUGH UNAUTHORIZED CHANNELS OR WHICH IS NOT ALLOWED IN THE INMATES POSSESSION WHILE INCARCERATED IN THE DDC. IF AN INMATE IS FOUND TO HAVE CONTRABAND THEY WILL BE SUBJECT TO SANCTIONS OUTLINED IN THE DDC POLICY AND PROCEDURES MANUAL. ANY ITEMS / CONTAINERS THAT ARE EMPTY OR MODIFIED WILL BE CONSIDERED CONTRABAND.**

**PERSONAL AND FACILITY LAUNDRY**

Dirty laundry, personal or facility, will be collected on the 12 to 8 shift on the scheduled day as listed:

MONDAY	POD A	FRIDAY	FEMALES AND MAX
TUESDAY	POD B	SATURDAY	OPEN
WEDNESDAY	POD C	SUNDAY	LIWO 0800-1600
THURSDAY	POD D		

Quantities and type articles must be accounted for on the personal laundry form prior to placing laundry bags on the laundry cart. When cleaned, your laundry shall be returned to you in each pod by a Correctional Officer using the identification number on the bag. The CO and you will initial the laundry form for receiving clean clothing and making sure all personal laundry is returned. Facility laundry will be exchanged for clean laundry by each inmate **NO EXCEPTION !!!**

**DETENTION CENTER ISSUED ITEM AND CLOTHING**

MATTRESS	\$ 70.00	2 BLANKETS	\$15.00 each
TOWEL	\$ 3.50	PROPERTY TUB	\$ 8.00
2 SHEETS	\$ 15.00 each	UNIFORM SHIRT	\$ 7.00
FACE CLOTH	\$ 1.50	UNIFROM PANTS	\$10.00
GYM SHORTS	\$ 7.00	LAUNDRY BAG	\$ 6.00
CUP	\$ 2.50	SPORK	\$ .25

**YOU WILL SIGN FOR AND BE HELD RESPONSIBLE FOR THESE ITEMS, IMPROPER WEARING OF DDC ISSUED CLOTHING CAUSING DAMAGES OR ANY ITEMS DAMAGED WILL RESULT IN YOU REPLACING THE ITEM AT THE CURRENT MARKET PRICE, AND/OR HAVING CRIMINAL CHARGES PLACED AGAINST YOU.**

**Inmate incoming packet: one of each, soap, comb, toothpaste, toothbrush, shampoo, shower shoes, and Two(2) rolls of toilet paper - You must sign the razor sheet the preceding night to receive a razor, this will be issued and collected by the Correctional Officer. TWO (2) rolls of toilet paper will be issued weekly, from then on. YOU WILL WEAR PANTS, SHIRTS, OR T-SHIRTS, SHOES AND SOCKS WHENEVER YOU EXIT YOUR CELL. Medical staff will fill out a medical screening form based on their observations and on information you supply. Advise Medical of problems needing immediate attention. You are initially placed in an intake cell until interviewed by an Administration Processing Officer (APO), who will assign you a cell. If sentenced to serve weekends you may not see an APO but will be assigned directly to a cell by s Shift Supervisor.**

**PROPERTY**

All valuables you are not allowed to keep will be placed in your property and a change of clothing will be kept at this facility. All other items will be turned over to a family member or friend within the first 30 days of intake. You will be permitted 2 phone calls at your initial intake process, in order to make arrangements for items to be picked up. When these items are picked up, the person picking them up must sign for them. In cases where an inmate is from out of state, or has no personal ties to the area, you will provide an address for these items to be shipped at your expense. In cases of an indigent inmate, the package will be sent C.O.D. Any and all items you are allowed to have within this facility are your responsibility. You will be required to sign an inventory sheet to verify what property is yours. Circumstances not covered in the above policy will be reviewed by the Warden.

**NON-DISCRIMINATION**

Discrimination is prohibited based on race, religion, physical handicap, sex, political belief or national origin.

**CLASSIFICATION**

Within 72hours after arrival at the DDC, excluding weekends and holidays, you will be interviewed by an Administrative Processing Officer (APO) then you will be assigned a cell; according to your charges, bond, or sentence, criminal history and personal history and traits.

**CLASSIFICATION REVIEW PROCESS**

Unless already assigned to an institutional job as a result of your initial classification interview, you will be re-assessed by an APO after in the center for 180days. The purpose of the reclassification is to review your custody level and determine if it should be changed as a result of changes in your

## **CLASSIFICATION REVIEW PROCESS CONT.**

Page 4

commitment status or institutional adjustment. If determined you are eligible for a status change, you will be scheduled for a Classification Hearing within two (2) weeks. If determined you are ineligible for a status change, you will be advised of the reasons for this decision. Please note, your custody level will be reviewed whenever there is a change in your status, or every 180 days.

## **CLASSIFICATION HEARING APPEAL**

Following the APO Interview/Hearing, if you object to the decision, you have the right to appeal to the Classification Coordinator within five (5) days. The appeal must be submitted on an Inmate Request Slip and must include the specific reasons you disagree with the decision. Once received, the coordinator will review your appeal and notify you in writing of his decision within ten (10) days unless an investigation is necessary and exceeds the ten day limit. In such instance, a written response will be forwarded to you as soon as possible.

## **INMATES EXERTING CONTROL**

Inmates are prohibited from supervising, controlling, and exerting or assuming authority over other inmates. Inmates may NOT control funds, property, etc. of other inmates.

## **PROTECTION FROM ABUSE**

Disciplinary action will be taken against staff/inmates who abuse other staff/inmates. Abuse should be reported promptly to the Warden by use of a grievance/complaint form #602.

## **HEAD COUNT PROCEDURE**

Upon the announcement of Inmate Head Count, all inmates shall proceed to their cell / bunk area and remain there until the announcement, The Count is Clear.

## **S.A.V.E. PROGRAM**

### **STOP ARREST AND VIOLENCE EARLY**

This Detention Center has established the S.A.V.E. Program to deter the Youth of Dorchester County from becoming involved in crime/incarceration. To facilitate the program the Warden may order a total lock down. This Program hopefully will save a family member or friend in the future, so work with us to make this program a success.

## **RULES AND REGULATIONS**

In an institutional setting where many persons live and work together in a confined area, exceptional care must be taken to maintain reasonable order to protect persons and property. Discipline is an absolute requirement of facility life. The commission of the following acts constitutes violations of DDC rules.

### **MAJOR RULES**

1. **ASSAULT**  
Assault, Assault and Battery, Assault by threatening to do bodily harm, with or without a weapon.
2. **SEXUAL ACTS**  
Sexual acts, with or without consent, including but not limited to Sodomy Perverted Unnatural Acts or Rape.
3. **RIOT / DISTURBANCE**  
Actively participation, committing or being involved as an active participant in any manner, in mutinous act, riot, or disturbance. The planning of, or the hiding or secreting of those involved in any mutinous act, riot, or disturbance, before or after the fact.
4. **WEAPONS**  
Making or possessing any weapons or other articles which have been modified into a weapon.
5. **ARSON**  
Being involved in any manner with an act or attempted act of arson including but not limited to the setting of a fire in any area of the institution, pulling a false fire alarm, or the possession of incendiary.
6. **EXTORTION / BLACKMAIL**  
Any act of extortion, blackmail, coercion, bribery, or strong arm.

7. **THREATS**  
Any written or oral communication which reasonably suggests a threat of harm or attempted harm to staff, other inmates or property.
8. **INTERFERING / RESISTING**  
Resisting or interfering with any public or private employee in the lawful performance of his/her duties within the institution.
9. **ESCAPE**  
Escape, including attempting to escape, failure to return from work release as required, aiding any escape, attempted escape or possession of implements which could reasonably be used to perpetrate an escape.
10. **ABSENCE**  
from any court, leaving an assigned area without permission or being in any area without permission.
11. **WORK PROGRAM / WORK RELEASE**  
Unauthorized lateness or absence from work, or assignments.
12. **DRUGS**  
The use, possession, sale or attempt to sell of any drug or narcotic or substance defined as a controlled dangerous substance in Article 27 of the Annotated Code of Maryland, or the possession of any paraphernalia used to administer the substance as defined by Maryland Law.
13. **ALCOHOL / INTOXICANTS**
  - a. The use, possession, sale or attempt to sell intoxicants (alcohol or drugs) not prescribed or authorized by the institution's physician, or being intoxicated or under the influence of intoxicants (intoxicants shall include fermented juices, jimson weed, or any other substance reasonably have the effect of an intoxicant).
  - b. Refusing to submit to an authorized test for detection of drug and / or alcohol.
14. **CONTRABAND**
  - a. Refusal to be searched or have possessions searched, cell or lockers searched for contraband.
  - b. The possession of, or the passing or receiving of contraband from another inmate visitor and/or employee regardless of the place of occurrence whether it be the housing area, work area, or visiting area. Contraband is any article which inmates are not authorized to have in their possession as prescribed in the rules of DDC or items authorized that have been modified in any way.
15. **FORGING / ALTERING**  
Forging and / or altering of any official paper, document, letter, money receipt, etc., or being in possession of same.
16. **FALSE INFORMATION**  
Knowingly or intentionally giving employees false information relating to institutional matters.
17. **DISOBEYING AN ORDER**  
Disobeying a direct lawful order given by a DDC employee acting in his / her official capacity.
18. **REFUSAL TO WORK / ACCEPT HOUSING**  
Refusal to work, accept housing or carry out an institutional assignment.
19. **STEALING**  
Stealing or taken without proper permission property from another inmate, an employee, authorized agent or visitor of the DDC and / or possession of property belonging to anyone else without proper authority.
20. **DESTRUCTION OF PROPERTY**  
Malicious and / or willful destruction, alteration, defacing, tampering or misuse of any county and / or personal property, equipment, materials, tools or machinery belonging to someone else.
21. **DISRESPECT**  
Exhibition, demonstration, or conveyance by word ( oral or written ) gesture or deed including but not limited to vulgarity, insolence or threat of any disrespect for any employee, visitor or guest.

## **RULES AND REGULATIONS**

Page 6

22. **SOLICITING / CONSPIRING**  
Soliciting, conspiring, being an accessory to and / or aiding in the commission of any other major rule shall constitute a violation of that rule or rules.
23. **SMOKING**  
Uses of or possession of any materials that could be used to smoke.
24. **VIOLATION**  
Of any Federal, State, Local law, DDC rule, Regulation or Contract

## **MINOR RULES**

1. **RECEIVING STOLEN ITEMS**  
Receiving and / or giving away stolen or unauthorized items.
2. **RECKLESS BEHAVIOR**  
Intentional or reckless behavior or gross negligence which results in physical harm, property damage or destruction.
3. **GAMBLING**  
Any and all forms of gambling
4. **TELEPHONE**  
Unauthorized use of a telephone
5. **HYGIENE**  
Refusal to maintain personal cleanliness and / or cleanliness and good order in the housing area.  
Inmate must shower on their housing level only.
6. **INAPPROPRIATE DRESS**  
Failure to comply with the institutional dress code.
7. **IN AN UNAUTHORIZED CELL**  
Inmates are not permitted in other inmates cells.
8. **CLOSING CELL DOORS**  
Cell doors are to be closed by Correctional Officers ONLY. If the door is closed it will remain closed until the next scheduled opening.
9. **OTHER INMATE RESTRICTION IN THE HOUSING AREA**  
There will be no climbing on the bars, tables or railings. No playing on the stairs or near the railings.

## **SANCTIONS**

1. The Hearing Officer (HO) may follow the below listed guidelines when holding a board hearing if the inmate is found guilty of a major rule violation.
  - a. Loss of good conduct time for the current month
  - b. Loss of any or all inmate privileges
  - c. Removal / Suspension from Work Release
  - d. Removal / Suspension from Work Program Inmate status
  - e. Re-assignment to a greater custody level
  - f. Placement in segregation
  - g. If found guilty of violation Major rules 20, 23 and / or minor rule 2 , an inmate may be required to pay all reasonable expenses associated with the repair and / or replacement of property damage or destroyed.
  - h. Removal / Suspension from inmate programs, i.e., education, A.A. and N.A. classes.
  - i. Counseling and / or warning
  - j. Inmates are also subject to prosecution through courts in addition to disciplinary action within DDC
2. The HO may recommend one or more of the following sanctions for each minor rule violation:
  - a. Placement in a less desirable housing area
  - b. Loss of up to five (5) days of privileges
  - c. Probation

## SANCTIONS

Page 7

### 3. Loss of all privileges means:

- a. Commissary
- b. Personal Visits
- c. Recreation
- d. Self-help programs ( for major rule violations only)
- e. Any other privileges given to the general population

### 4. Loss of good time means:

- a. Loss of all good time earned during the month the violation occurred.

### 5. Segregation time means:

Placement in maximum security (seg: A male inmates and maximum for females). When the segregation time is completed they must be reclassified before being placed in general population. Male inmates will be placed in Max B and female inmates are to be placed in female processing pending a reclassification hearing.

### 6. Probation means:

Placement on probation means that if during the probation time the inmate violates any rules of the facility he / she will be charged with the rule violated plus be charged with rule # 17, disobeying an order, and be required to serve any time remaining for his / her original sanction that was suspended for probation time at the initial board hearing.

### 7. Time tables for disciplinary hearings:

- a. The inmate shall be served with a copy of the Infraction within 48 hours of the date / time of the offense, or within 48 hours of the inmate returning to the custody of DDC.
- b. Unless waived by the inmate DDC shall not hold Disciplinary Hearings for the first 24 hours after the Infraction is served.
- c. Unless prevented by exceptional circumstances, which must be documented, the inmate shall appear before the Hearing Officer for the hearing within 96 hours of the alleged infraction excluding Weekends and Holidays.

d. The accused inmate(s) has the right to representation / witnesses at the hearing.

e. If the inmate is found guilty at a Disciplinary Hearing they have five (5) working days to appeal the decision of the Hearing Officer. The appeal will be submitted on an Inmate Request Slip to the Chief of Security.

### 8. The Warden may, at his discretion, impose or reduce any sanction he deems appropriate.

## GRIEVANCE PROCEDURES

An inmate who has had an appeal concerning a classification / disciplinary hearing decision denied by the Chief of Security and believes there is sufficient information to modify or overturn said decision, must appeal to the Warden within five (5) days of the decision. Inmates desiring to file a Complaint/Grievance concerning a DDC policy, employee, etc., will do so, by obtaining a grievance / complaint form # 602 from the Classification Coordinator. The grievance / complaint form #602 may only be obtained after you have exhausted all other means by inmate request slips. When submitting a request for a 602 form you must state details of the grievance / complaint and all attempts that have been made to remedy the grievance / complaint. You will submit form # 602 to the Warden for investigation.

## SMOKING POLICY

DDC is a smoke free facility. Inmate / Staff are prohibited from smoking or possessing smoking materials in all areas.

## PROGRAMS PARTICIPATION

DDC provides confinement for convicted / pre-trial inmates, it is necessary to distinguish between these groups concerning rights to participate in work assignments and programs.

**Convicted Inmates** - may refuse to participate in activities, services and programs with the exception of work assignments essential to support the operation, safety and maintenance of the institution, programs specifically mandated by statute (law), basic education programs, or programs ordered by the sentencing court or based upon written agreement. Refusal to maintain the cleanliness / orderliness of living area or any order designed to ensure the security of the institution or which is mandated by the court will be documented and disciplinary measures will be initiated in accordance with policy.

**Pre-trial Inmates** - will be required to maintain the cleanliness and orderliness of their living areas and engage in any action which ensures the security of the facility or which is mandated by the court. Pre-trial inmates will not be compelled, but may volunteer, to participate in any program, activity or

**PROGRAM PARTICIPATION** - assignment except for the aforementioned. Refusal to participate in programs, activities or assignments will not result in any form of institutional penalty. Refusal to participate in facility work assignments, program mandated by the statute, i.e. medical, and ordered by the court, i.e. drug / alcohol therapy, etc, will be documented by the appropriate employee and disciplinary measures will be initiated in accordance with institutional policy.

#### **EDUCATIONAL AND SUBSTANCE ABUSE PROGRAMS**

Regardless of your security rating, you will be eligible to enroll in the education and / or substance abuse programs, except those who are a security risk to the facility. These inmates will be required to work independently in their housing unit areas. Inmates interested in enrolling in the education or substance abuse programs will submit an inmate request slip to the Programs Officer stating their request.

#### **VISITATION**

During processing you were advised by the Processing Officer you are entitled to receive weekly visits. You are authorized two (2) visitors for 15 minutes. No one under the age of 18 is permitted to visit inmates, except, the first Saturday of each month when minor children under the age of 18 are permitted visit and must be accompanied by a parent or guardian during the visit and shall be counted as (2) visitors for that visit. You are entitled to 20 visitors per month (pro-rated). Once a conversation has started on a visit it will be counted as a visit no matter how long the visit lasts (Maximum of fifteen minutes). Visiting privileges may be revoked or suspended as a disciplinary measure. When your name is called you shall be ready to leave the Pod immediately, Failure to do so shall cancel that visit. Your visitor must sign in by 10:45 am or 2:45 pm, and visitation will end at 11:00 am and 3:00 pm.

#### **VISITATION SCHEDULE**

Wednesday & Saturday	9:00am to 11:00am	All Population
	1:00pm to 3:00pm	All Population

#### **SPECIAL VISITS**

All special visits will be approved in writing by the Administrative Lieutenant. These visits will be based upon family emergencies or special situations after verification has been made. No special provisions will be made for inmates receiving D.O.C. time. You must be incarcerated for a 90 day period with no infractions for non-emergency or special situations visits.

#### **LEGAL VISITATIONS**

You will be allowed private consultation with your attorney, Probation Officer, etc. You will be allowed access to the courts, and legal aid through correspondence. We will not hinder your legal access.

#### **CANCELLATION OF VISITATION**

Visitation hours may be canceled in times of emergency or some other Bona Fide reason by the Warden or his designee.

#### **RECREATION**

DDC has recreation areas that are opened according to a schedule that allows each housing area to use the indoor / outdoor recreation areas twice a week. DDC also permits extended time periods in the Day Room areas for Leisure Time activities and we encourage the use of such room for limited exercise and physical activities such as push ups, sit ups, running in place, aerobic exercises. DDC also provides televisions in most housing areas along with game tables with games to enhance Leisure Time activities. Recreation may be canceled in times of emergency or some other Bona Fide reason by the Warden or his designee.

## TELEPHONES

Page 9

Telephones are provided in all pods for use between the hours of 7:00am and 10:00pm daily. Telephones are a privilege and can be suspended. These phones work on a collect call system, with a twenty (20) minute timer. Use of telephones will not interfere with the facility programs or courts.

**Phone book will not be given to inmates.**

## TELEVISIONS

Television use is a privilege and may be withheld if you fail to comply with any housing unit regulation. Televisions are available in each housing unit except in Max A, Female Max, Admin. Seg A and B, Medical holding, Detox, Male & Female Processing.

## WORK RELEASE PROGRAM

Only inmates sentenced by the courts, to Work Release (LIWO) may participate once they have met the criteria of DDC.

## JOBS

While incarcerated in the DDC the opportunity to work may exist. Working in these programs is a privilege which may be terminated based on your performance / attitude. Inmates may work for Authorized County Agencies and other jobs as approved by the Warden or his designee. To participate in any of these programs you should be sentenced to the DDC and follow the listed guidelines:

- a. Have no detainers
- b. Obey Facility rules
- c. Be in good health (Medical Clearance)
- d. Have approval of the Classification Coordinator

When working in this capacity you will receive \$2.00 a day for this work. Work Program Inmate(s) (WPI) work as workers in the facility. There must first be a vacancy and normally you must be:

- a. Sentenced to the facility
- b. Have the Medical Staff approval
- c. Have no disciplinary reports on file within the last 30 days.

If you are selected as a WPI and have a detainer, your work will be confined to the facility interior. When working as a WPI you will receive \$2.00 as day for each day worked. The money is paid by the agencies you work for. When working, you do not have free run of the facility. You will work in the area to which you are assigned. Rest periods/breaks and movement to other areas are controlled by the Shift Supervisor, Correctional Officers or the facility employee in charge of the area to which the WPI is assigned. WPI's will not carry food or drinks out of the area to which they are assigned.

Level 1 Pre-trial or sentenced, Med/Min Security rating

Level 2 Pre-trial or sentenced, Min security rating or \$2,500 bond or less

Level 3 Sentenced, Min Security rating with outside clearance

## MEDICAL SERVICES

DDC has an accredited medical program for inmates. You are afforded medical care under the guidelines and direction of the facility physician.

## SICK CALL

Routine sick call will be conducted at this facility twice weekly. To make sick call you must do the following: When the Medical Staff comes to your housing area you must advise them of your medical problem and it will be reviewed.

If an inmate chooses to use the sick call procedure a \$2.00 charge may be levied against the inmates account. The charge shall be waived in the following circumstances:

- \*the inmate is directed by medical staff to follow-up sick call
- \*Physical examinations
- \*Medical emergencies ( as determined by medical staff )

Each \$2.00 charge incurred by a visit to sick call shall be deducted from the inmate's account. If an inmate has insufficient funds in his/her account the \$2.00 charge(s) shall be entered in the account and deducted only when it is determined by the administration of the Dorchester County Detention Center that the inmate may have sick call charges deducted. The Administration may also waive the \$2.00 sick call charge at any time.

## **SICK CALL CONT.**

Page 10

All inmates will be provided equal access to health care. Treatment necessary for health maintenance will be provided. Elective procedures to correct pre-existing medical/dental problems will generally not be performed if the inmate's health is not jeopardized.

## **PHYSICAL EXAMINATION**

Within fourteen days of incarceration you will receive a physical examination by the facility physician. The facility medical staff, in preparation for the exam will check your blood pressure and other test. You will not be charged for this physical.

## **MEDICATIONS**

The facility physician will prescribe all medications and authorize treatment. You will be given the dosage prescribed on the medicine container label. Medicine will be taken in the presence of medical staff. Have a cup of water in hand when medications are given out. You may be asked to open your mouth to check to assure the medication has been swallowed.

## **NON-PRESCRIPTION MEDICATIONS**

Over the counter medications will be maintained by DDC Commissary personnel. Indigent inmates who request over the counter med shall be referred to the medical staff, and medication may be provided, once they are designated indigent.

## **SPECIAL DIETS**

Inmates requesting a special diet for medical reasons must submit a request to the medical staff. All other diet request must be submitted to the Chief of Security in writing.

## **RELIGIOUS SERVICES**

You are afforded the opportunity to practice religion while incarcerated. On different days of the week, authorized people from local churches may come into the facility for services. Islam studies are normally conducted on Fridays. Non denominational services are conducted on Sundays. Inmates are allowed to possess one religious handmade woven symbol and string necklace, to be woven together as one unit. The symbol shall not contain foil or any other metal object. The string can be no larger than 1/8" in diameter, must be loose fitting around the neck and the symbol must be no bigger than 2" x 2" x 1/4".

## **LIBRARY**

DDC offers an institutional library service. Books may be obtained from the library, which is made available to each inmate housing area on a weekly basis. You are allowed to check out three books from the DDC library. Inmates are expected to take care of the books chosen and return them as stated in the library agreement. If you damage books you will be required to replace or repair said items. DDC has a legal library, where you may conduct legal research. Inmates wishing to receive reading material or copies of the Annotated Codes, may do so by completing an Inmate Request Slip. There shall be a 20 cent per copy charge.

## **COMMISSARY**

The DDC commissary is controlled and administered by the Chief of Programs or designee. The following is a list of the commissary procedures:

1. Commissary orders will usually be delivered on Thursdays. Delivery time may be extended to evening hours. Facility operations receive top priority, and commissary in not a top priority matter.
2. Commissary request slips will be distributed to the inmate population on Tuesday evening, and collected by Officers prior to 12:00pm that evening, any requests not in by this time will not be honored. You must write your commitment numbers on your commissary order form.
3. Only inmates with funds in their account may purchase items from the commissary. Purchases will be made in your name only.
4. Inmates are allowed to purchase 50 food items. From the personal section of the commissary list you may purchase 2 each from that list not including envelopes, pen and personal hygiene items.
5. Inmates are allowed to store up to the limits offered on commissary. Food items may be stored unopened in the storage trays provided.

**COMMISSARY CONT.**

- 6. Money will not be transferred from one inmate to another inmates account. **NO EXCEPTIONS.**
- 7. The privilege to purchase through commissary can be suspended for violations of rules.
- 8. Commissary can be delayed, postponed, or even canceled any time by the Warden, Chief of Security, Chief of Programs or Shift Supervisor for reasons of security, health and welfare of the inmate population .
- 9. Every effort will be made to keep adequate stock in the commissary. Every effort is being made to give you the items you order.
- 10. **NO CREDIT IN COMMISSARY.** Commissary orders will only be filled if adequate funds are in the inmates account to cover the purchase. Money orders received on the day of commissary will not be accredited to the inmate account until the next day.
- 11. Purchases and contents of the commissary bag are to be verified and tickets are to be signed at the time of delivery.
- 12. You can keep track of your account balance by noting the amount on the money orders received, against the money spent in commissary (review your receipts). Purchase price and balance are provided to you on receipt each commissary day.
- 13. Indigent packages are provided to inmates without funds. Inmates who previously had funds, are not considered indigent until seven (7) days without funds.
- 14. Empty containers of items purchased through commissary will be disposed of immediately, if not they will be considered contraband, and you will be charged with a violation of rules.

**INDIGENT ALLOWANCE / WELFARE PACKAGE**

Inmate initially received at DDC with \$1.00 or less are considered to be indigent. Inmates with accounts having a balance of \$1.00 or less for seven (7) days will also be considered indigent. Those inmates who are considered indigent will receive the following:

- 4 sheets of writing paper                      1 toothpaste
- 2 stamped envelopes                            1 soap (bar)
- 1 small deodorant stick                        1 shampoo packet

**1 pen (ONE TO ONE EXCHANGE)**

Your account may be billed \$ 2.35 per packet received. When you receive funds the amount owed for the indigent pack will automatically be deducted from your account. Indigent inmates who request over the counter medication s shall be referred to medical staff, and medication may be provided by the medical staff once they are designated indigent.

**MEALS**

A State of Maryland approved dietitians menu is served three times a day, programmed to provide a varied and balanced menu. Generally, meals are served between the hours of, Breakfast: 0500-0630. Lunch: 1100-1300. Dinner: 1600-1730 hours daily, but occasionally due to uncontrollable circumstances, or emergencies the schedule may change. You are given one tray that must be returned at the end of the meal.

**MAIL**

Mail is passed out Monday thru Friday except on Holidays. You are allowed to send and receive mail freely, subject only to the restrictions applicable under facility security. All incoming parcels and letters will be opened and checked for contraband. Legal items are exempt from this procedure. You will open legal material in the present of an Officer. All unauthorized items may be held or returned to sender. Inmates who are indigent will be allowed paper, pen and stamped envelopes through the commissary, in accordance to its rules. Your mailing address is:

DORCHESTER DETENTION CENTER  
 (INMATE NAME)  
 829 FIELDCREST ROAD  
 CAMBRIDGE, MARYLAND 21613-9455

**MONEY ORDERS**

Money orders will be accepted in person within the first 48 hours (excluding weekends and holidays), between the hours of 8:00 am and 4:00 pm., of your incarceration. After the first 48 hours money orders will only be accepted by mail.

## **MAIL ACCUMULATION**

Page 12

You may have 20 pictures up to 5" x 7" in size. Twenty (20) letters/cards total in your cell at one time. Each letter may be 4 pages for a total of 80 pages. All over this amount will be placed in your personal property. Legal correspondence are exempt from this rule.

## **NEWSPAPERS**

Newspapers may be subscribed through the commissary. Once you have ordered newspapers and received it you must give the delivering officer any other newspaper. You may receive the papers only on this exchange basis. Newspapers will not be stored in your property locker. Correctional Staff will place your full name on the front of the newspaper. Newspapers shall not be loaned, borrowed or given to others. Newspapers shall be labeled contraband if it is altered in any fashion or if not in the legal owners possession. Any item labeled contraband may be destroyed.

## **MAGAZINES / BOOKS**

You will be permitted to have no more than eight (8) magazines / books in your possession, this will include religious materials and materials from the DDC Library. Magazines or "soft" back books must be labeled with your full name and mailed directly to this facility from the publisher. Any book or magazine shall be labeled contraband if it is altered in any fashion or not in the legal owners possession. Any items labeled contraband may be destroyed. Any inmate in violation of this section may be subject to sanctions outlined in the sanctions section of this handbook. Magazines, books or pictures whose contents solely depict sex acts or simulated sex acts will not be accepted by this facility.

## **ACCESS TO MEDIA**

Access by news media representative must be in writing to the Warden.

## **CONTRABAND**

Contraband is defined as any article which is received through unauthorized channels or which is not allowed in your possession while incarcerated in this facility. If an inmate is found to have contraband they will be subject to sanctions outlined in the rules and regulations section of this handbook. Any items / containers that are empty or modified will be considered contraband.

## **SEARCH POLICY**

You are searched at the time of intake according to your legal status. In order to ensure the safety and security of this facility you are subject to searches of your person and property at any time during your period of incarceration. Searches will be conducted in a manner that will avoid unnecessary force or indignity.

## **CELL SEARCHES**

Periodically, and without prior notice, there will be unannounced searches of your living quarters by Officers. You and other inmates may be placed in the dayroom, while other Officers conduct a detailed search of your living quarters. Each of the inmates will be individually searched and possibly strip searched. You will be subject to facility discipline and or criminal charges, if contraband (unauthorized items) is recovered from you, or found in your belongings or cells.

## **GENERAL HOUSING UNIT REQUIREMENTS**

If you are assigned an individual cell, no other inmate(s) are allowed in your cell. No articles or materials of any sort are to be hung from window gates, bunks, lights or cell grates. No pictures or other materials are to be attached to the walls in your cell or dayroom areas(s). Failure to comply with this shall result in all articles / materials being confiscated and placed in your property or deemed contraband and may be destroyed.

## **PERSONAL HYGIENE**

When you leave your pod you are required to wear your uniform and shoes at all times. You are allowed to maintain a beard, mustache, long hair, afros, plaits, pony tails or bald heads, all of which are subject to the restrictions imposed by the facility physician. You are expected to maintain acceptable personal hygiene standards, and keep your clothing clean. **NO BLEACH IS ALLOWED OR DISPENSED.** See regulation regarding showers under hygiene.

## **SANITATION**

Page 13

For your benefit and other inmates, you are required to keep your cell clean at all times. You will be provided cleaning materials. Trash is not to be thrown on floors, sinks, commodes or shower areas. All trash is to be disposed of properly in waste receptacle.

## **MAINTENANCE PROBLEMS**

If there are any problems in your cell with the plumbing, electric, heat, or other problem requiring maintenance, please let an Officer know, so it can be repaired.

## **REQUEST SLIPS**

To maintain proper order in this facility, if you need to ask questions concerning your stay or have a special request, ask a Correctional Officer. If the Correctional Officer can not answer your question ask for a request form. You must complete and return the request form immediately. The request Slip must be filled in with ink and must be signed. Abuse of the request slip system may cancel the privilege by the Warden's office.

## **ACCESS TO RECORDS**

An inmates legal representative may request, in writing, to the Warden specifying the reason for the request for release of information contained in an inmates file.

## **LEGAL MATTERS**

Inmates shall be allowed to obtain legal assistance thru the following means:

1. Inmate Phones
2. United States Postal Service
3. Visitation
4. DDC Law Library (must submit a request slip to Programs and Services)
5. Assistance from other inmates
6. Office of the Public Defender P.O. Box 487, Cambridge, Md. 21613
7. Parole and Probation P.O. Box 482, Cambridge, Md 21613
8. Maryland Parole Commission

## **PAROLE INFORMATION**

Upon your being sentenced, the Parole and Probation is notified of this status change by your requesting and completing of an application for a parole hearing. To Receive one of these forms you must fill out a request form to Classification. The date of your Parole Hearing is based primarily upon the length and starting date of your sentence. Prior to your parole hearing, the Parole and Probation will prepare a Parole Report and the APO will prepare an institutional adjustment report. Both reports will be submitted to the Parole Commission. Please note you will only receive a parole hearing if you are serving a sentence greater than 180 days for any offense other than Contempt of Court or payable fines which preclude you from a hearing. At the time of your hearing, the Parole Examiner or Parole Commissioner will consider such factors as, criminal history, institutional adjustment, the completion of any educational programs, your substance abuse problem, (if any), and your prior employment history. If approved for parole or if granted a rehearing date, you may expect to receive a written decision within 30 days of your hearing. If your case is held for additional information, the time period will increase depending upon the type of data required. You may appeal a parole decision unless you were heard by two (2) Parole Commissioners. Any decision of the Parole Commission is final. You should know that once you have filed an appeal, the Parole Commission is not bound by the original decision in your case. This means that you could receive a larger set-off or be refused parole. Questions concerning this matter should be directed to the Classification Unit.

## **RELEASE**

Inmates serving time with known release dates, will be issued a check upon their release, for the balance of funds in their account. Male inmates may check the classification office window, female inmates may check the female library window, and male LIWO inmates may check the posted list in the housing unit for projected release dates. Request for release dates will not be accepted. Inmates not receiving a check at release has three (3) working days to come to the center to pick-up the check or the money will be mailed to the last known address. Inmates posting bond or being released during

## RELEASE CONT.

Page 14

other than normal business hours, must leave a accurate forwarding address, or return the next normal working day, during regular business hours, to secure a check for the balance of your funds. Upon release you will sign a release form to indicate your satisfaction that all personal items, being held at this facility have been returned to you. If any items are missing or damaged, write a complaint to the Chief of Programs and Services, and the matter will be investigated. Personal property left behind in the facility longer than forty-five (45) days after release will be properly disposed of. DDC only gives projected release dates.

## RESPONSE TO EMERGENCIES

DDC has emergency plan for fires, natural disasters, civil defense, chemical spills, power outage and other emergency situation. Generally our plans call for you to be evacuated from the facility or to a safer more secure location within the facility. If advised of an emergency situation by Correctional Staff or by use of the Public Address System it is important you listen and follow instructions. If an evacuation is necessary you should quietly line up in a single file line near the exit indicated by the Correctional Officer. You will then be guided to the closest evacuation location. In the case of a fire which would require your evacuation from the center you will be advised to follow the instructions of the Correctional Officer. It is necessary for you to stay low and remain quiet and calm so you may hear the instruction of the Correctional Staff. In the event of natural disaster (tornado, hurricane, earthquake, etc.) or civil defense emergency, evacuation may be necessary. The Correctional Staff will move you to the safest, most secure part of your area or another area of the facility. You may be directed to take your mattress and bedding materials. Housing unit doors and cell doors should be closed as you leave for this emergency. The staff drills periodically in these emergency plans and you may be required to participate. Again it is important that you follow the directions of the Correctional Staff.

## HAIR CUTS

The facility has a barber that cuts hair once a week. The price is \$6.00. Indigent inmates may have their hair cut once a month. If you are indigent, the fee will be billed to your account. Once you receive funds the amount owed will be automatically deducted from your account. You may have your own licensed barber / beautician come to the facility to cut your hair. You must request this through the Chief of Programs and Services. The Chief of P/S will schedule the date and time.

## COMMUNICABLE DISEASE POLICY

**AIDS:** Acquired immune deficiency syndrome is caused by the virus known as HIV. This virus causes damage to your body's immune system.

### HOW IS THE AIDS VIRUS PASSED?

The AIDS virus is passed when a person has sex or shares needles with a person who has the AIDS virus. Pregnant women who have the virus can also pass it to their unborn BABIES!!!

### THERE IS NO EVIDENCE AT THIS TIME THAT AIDS CAN BE SPREAD BY:

Being around someone with AIDS on a daily basis. Touching utensils, dishes or linens of an AIDS infected person. Donating blood, sneezing, coughing, or spitting. By using or touching toilet seats, bath tubs, showers, or door knobs. Handshaking or other non-sexual physical conduct. Hugging, talking or similar contact.

## COMMON SENSE PRECAUTIONS

Wash hands with hot water/soap if you may have come in contact with a person with AIDS. Do not share needles. Do not have sexual contact with anyone in the facility. Do not share razors, toothbrushes, homemade tattoo machines or any items that blood could be present upon. If you are concerned you may have been exposed to AIDS submit a request slip to the medical staff, the medical staff will counsel you to help decide if you need a blood test for HIV antibody. This test is the first step in screening for AIDS.

**REMEMBER**

Page 15

AIDS is usually spread through intimate sexual contact, infected blood or shared needles. You cannot tell by looking at someone if they have the AIDS virus. Health authorities suggest that you presume everyone is infected with the virus and protect yourself.

**HEPATITIS "B"**

Is a disease caused by a virus which affects the liver.

**COMMUNICABLE DISEASE POLICY****HOW IS THE HEPATITIS "B" VIRUS SPREAD?**

Hepatitis "B" can be spread from one (1) person through:

Blood transfusions, sharing needles, contact with saliva of a person who has the disease, sexual contact with a person who has hepatitis "B", from mother to unborn babies, contact with dental or medical equipment that has not been properly sterilized, contact with tattoo and ear-piercing equipment that has not been properly sterilized. A person with hepatitis "B" can spread the disease to others several weeks before any symptoms appear, even a "Carrier" (a person who has the hepatitis "B" virus in his/her blood, but has no symptoms) can spread the disease to others.

**HOW CAN IT BE CONTROLLED?**

A person with hepatitis "B" must:

Avoid sexual contact with others, wash bedding, towels, or other items that may be contaminated with blood or semen. Make sure others do not use razors, toothbrushes, etc. that may be contaminated with blood.

**HOW IS IT TREATED?**

There is no specific treatment for hepatitis "B". Usually a person recovers from hepatitis "B" within a few weeks or months. During this time using condoms may decrease the risk of passing the virus throughout sex, also you should avoid having sex within the facility.

**INS DETAINEES****UNITED NATIONS HIGH COMMISSIONER ON REFUGEES:**

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