



INMATE HANDBOOK

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INTRODUCTION

The DC Department of Corrections (DOC) Central Detention Facility (CDF also popularly called the DC Jail) is a multi-custody level facility located at 1901 D Street SE, Washington, DC 20003. CDF is the point of entry after arraignment and commitment by DC Superior Court, U.S. District Court or US Marshal detainment. CDF houses pretrial detainees, misdemeanants, unsentenced felons, as well as convicted and sentenced felons pending transfer to another facility, jurisdiction or release.

It is DOC policy to provide a safe, secure and orderly environment for employees, inmates and the surrounding community.

This handbook explains facility rules, regulations and procedures that you must follow. Security and safety are in place for everyone's protection and will not be compromised.

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

If you have questions concerning any matter, ask the employee stationed in your housing unit, your case manager or send an Inmate Request slip to the department that is responsible for your particular concern.

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

- (1) To access legal assistance (courts, attorney, law materials, diplomatic representation, grievance procedures);
- (2) To be protected from personal abuse, corporal punishment, personal injury, disease, property damage or harassment;
- (3) To be protected from other inmates having power over you;
- (4) Freedom in personal grooming as outlined in DOC policy;
- (5) Access to health care;
- (6) Adequate food/nutrition;
- (7) Freedom from discrimination based on race, religion, national origin, gender, sexual orientation, disability and any prohibited discrimination provided in DC law when determining housing and program participation;
- (8) Access to uniform procedures at disciplinary and housing hearings;
- (9) Access to programs, services and activities (except when participation presents a threat to the security, safety, or orderly operation of the facility). If you cannot attend a program because of administrative reasons, DOC will attempt to make reasonable accommodations. You cannot participate in programs while you are in disciplinary segregation.

ADMISSION AND ORIENTATION

Receiving and Discharge (R&D)

While in R&D you will be asked basic personal information; you must submit to a strip search; shower and change into a CDF issued uniform; be fingerprinted and photographed; and a wristband ID will be placed on you. You must surrender all unauthorized personal belongings (See "Personal Property" section). You will sign a property receipt of items taken and items you were allowed to keep. DOC will store your ID (ex: Drivers license) until you are released. CDF will allow family to pick up your personal property within 15 days. Personal property (except jewelry) is destroyed after 15 days.

Medical Screening

You will receive a medical, dental and mental health screening. Health care providers will discuss any applicable treatment plan with you. They will advise you on important health precautions and how to access health care services.

Medical Hold

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

Communications Assistance

Translators or the AT&T Language Line will help if you do not speak English. DOC provides signing or related communications devices to assist if you have a hearing impairment.

Intake Unit

You will be placed in an intake unit or other appropriate housing. You may be housed in Intake for several days during which time your case manager will interview you. Initial classification will be held to determine your custody and where you will be housed. You will receive information about the facility to include programs, services and activities, rules, housing and discipline procedures.

PERSONAL PROPERTY

You may keep the following items when you are admitted:

One plain wedding band (no stones, gems) valued at \$50 or less

Prescribed medical devices: (prescription glasses, dentures, medical alert bracelet/necklace, hearing aids, artificial limbs, brace, etc)

One religious medallion or rosary valued at \$50 or less. It must not be a size or shape that can be used as a potential weapon or escape device

One watch valued at \$50 or less

One approved religious headgear

Tennis shoes that you wore into the facility (value limit of \$50)

Legal documents about your current case

CDF will issue the following items to you. You must sign for and are responsible for proper care of all items that CDF issues to you.

A bedroll containing one blanket, 1 towel, 2 sheets and a hygiene kit.

Males. 2 pairs of under shorts, 2 pairs of socks, 2 undershirts, and 2 jumpsuits (clean, properly fitted and in good condition). 1 pr. of thermal underwear--issued October 15-March 30 upon your written request.

Females. 2 pairs of underpants, 2 bras, 2 undershirts, 2 pairs of socks and 2 jumpsuits (clean, properly fitted and in good condition). 1 pr. of thermal underwear--issued Oct 15-March 30 upon your written request. You will be able to exchange your soiled clothing and linen including towels for clean items at least once a week. You may request replacement underclothing using the Inmate Request Slip every 60 days. Hygiene kits are available to inmates who have no money to purchase them.

You may purchase underclothing and hygiene items from canteen. You are limited to the number of clothing articles as listed below.

Personal Clothing Limits

Males: 1 pr. tennis; 1 pr. shower shoes; 1 religious headgear; 7 pr. each of socks, under-shorts and T-shirts.

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

Other Approved Items:

Toiletries (1 each), pens/pencils, writing paper, stamps, legal papers, 10 photos (no nudity, swimsuits or exotic poses), and prayer rug.

You must be able to store all items, including legal materials, in your locker. You may store books and toiletries on your desk. You can only store your shoes and prayer rug on the floor.

You cannot sell, give or trade your personal property. You are subject to discipline if you do or if another inmate's property is found in your possession. DOC shall seize unauthorized/excess property and either release it to someone you designate or destroy it.

Claims for Lost/Stolen Property

You may file an Inmate Grievance (IGP) regarding property that is lost, stolen or damaged through no negligence of your own. You will not be compensated property loss when you do not have a property receipt.

Release of Property to Law Enforcement Officials

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

HOUSING UNIT RULES

CDF has single and double cell housing.

All inmates are expected to respect others when sharing common equipment such as telephones, television, chairs, tables, recreational games and equipment and all inmates must respect others property. Television is for everyone's use. Only staff shall control programs that are viewed.

Inmates shall not be verbally or physically abusive to staff or each other. No shouting, running, horse playing or other loud or disorderly behavior. You shall not bang on windows, cell bars/doors or tables.

You shall not loiter or stand around the cell of any inmate who is on lockdown.

You cannot loiter on the tiers or stairs between the upper and lower tiers. You shall not crowd around the control bubble or exit doors. You must stay at least 5 ft away from exit doors.

You shall not loiter around program offices unless authorized when awaiting services.

You shall not deface, tamper with or destroy DOC issued property.

You shall help keep common areas clean when assigned.

You shall place trash in provided trashcans. You shall not stand or sit on trashcans.

You are responsible for damage to DOC property issued to you and when you deliberately damage your cell. The Officer in Charge (OIC) or other correctional staff will inspect your cell before you are placed in it.

You must report any broken items to the OIC with 24 hours,

Only a supervisor or the Compliance Officer can change your cell or bed assignment.

You must ensure that staff secures your cell when you exit.

You must keep your cell area clean and your property neatly stored in your locker. You will be issued cleaning supplies for this purpose.

You shall not sleep in the nude or on the floor.

You shall make your bed by 8 am and it must remain made until 10 pm.

You shall not hang clothes or covers on cell doors or the tier and you shall not cover windows.

You shall not cover vents, light fixtures, cell doors or cell bars. You shall not clog toilets and sinks.

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

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

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

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

You cannot take uneaten food to your cell except for 2 pieces of fruit which you must eat the same day.

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

PERSONAL HYGIENE/LAUNDRY AND GROOMING SERVICES

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

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

INSPECTIONS

Searches

DOC shall search inmates, inmate housing units, individual cells, program and work areas. Most searches (shakedown) are randomly conducted. Narcotics detection dogs are also used during searches. You do not have the right to be present during the search. If you are present during the inspection, you must cooperate with staff. Staff will confiscate contraband and excess property during searches. You are subject to regular and random pat searches.

You are subject to a strip search when (1) there is reason to believe that you are concealing contraband on your person; (2) before placing you in a special housing unit; (3) before and after contact visits, escorted trips, or when returning from a community status; and (4) when you are first admitted. Only medical staff are authorized to conduct inspections of body cavities. Generally you will be placed in a dry cell for detection and release of concealed contraband.

Counts

Inmates must return to their housing unit and individual cell for counts. You will not be released from your cell, housing unit or the facility until the count has cleared. TV's and radios shall be turned off. You must remain in plain view, in full uniform and you must be prepared to display your armband to staff. You must be silent and shall not attempt to talk to or distract staff who are conducting the count.

Lockdown

You shall be locked in your cell at night, during counts and at other times as authorized. When lockdown is announced, you must immediately return to your cell and doors will be secured. Emergency lockdowns may be ordered at any time.

Sanitation

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

Emergency Drill Inspections

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

Warden's Inspection

The Warden, Deputy Wardens, correctional supervisors and other managers shall regularly inspect the facility and conduct other mass inspections. Generally, managers will allot time to your address general issues during the inspection period.

STAFF CONTACT

Your case manager and housing unit staff are your primary contacts to address issues. You may obtain a request slip from the housing unit officer to request assistance from the Chaplain, Chief C&P, law library, Records Officer, Deputy Wardens or the Warden.

MOVEMENT

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

ESCORTED TRIPS

DOC provides armed transports for court appearances; outside medical care and institutional transfers. You may be considered for escorted local trips to private viewing of a deceased relative, to visit a dying immediate family member and for community work programs.

EMERGENCY PROCEDURES

You must immediately report any signs of fire or smoke to staff. In emergencies, staff may direct you to move to another area in the unit, take cover in your cell or evacuate the unit/facility. Evacuation routes are posted in your housing unit and throughout the facility.

Should a riot or disturbance occur, inmates not involved will be given a chance to leave the area of trouble. You must follow staff instructions.

USE OF FORCE

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

SEPARATIONS

You may be separated from another inmate(s) when needed. The court may order your separation from the entire population. You may request protective custody (PC) or DOC may place you in involuntary PC when there is evidence of safety or security issues. You will receive regular reviews to determine if it is appropriate to remove the separations.

MEALS

DOC serves 3 nutritionally balanced meals daily. Pork and pork by-products are not used. A physician may place you on a medical diet. You may request a religious diet through the Chaplain. General population inmates eat in the dayroom; segregated inmates eat in their cell. You will receive a bag lunch when you are at Court or are out of the facility for medical care.

MEDICAL SERVICES

DOC does not charge inmates a co-pay fee for medical treatment.

At Medical Screening and Orientation, you will learn how to access health care and basic health precautions you should follow.

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

Types of Medical Care: Health screening and assessment; medical clearance for work details; sick call to receive medication or routine, chronic and emergency care and hospitalization; detoxification; eye glasses; dental; pharmacy; specialty clinics and OB-GYN (females).

Refusing Medical Care. You may refuse medical, dental and mental health care services. Your refusal must be in writing. When you refuse, medical staff may explain the importance of the care they recommend.

Sick Call. You should be seen within one day (Monday-Friday) of submitting a sick call request.

Interpreters (staff or via telephone) shall help you to communicate with medical staff when your English is limited.

Condoms may be obtained during medical intake, sick call, medical visits, discharge planning interviews and at release. DOC prohibits

sexual activity between inmates but is obligated to provide the added health precaution.

DRUG TESTING

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

INMATE FINANCE ACCOUNTS

Receiving Money in Your Account

Inmate Finance shall deposit money you had at admission; from work detail; and postal money orders, bank and cashiers checks mailed by family and friends. The check/money order must be payable to you and include your full name and DCDC#. Inmate Finance will issue you a receipt. Posting to your account for spending takes 10 business days. Contact your case manager if you have problems with your account.

Releasing Money from Your Account

You may authorize DOC to release funds from your account to an attorney, bail bondsman, family member or friend. DOC will issue cash from the Inmate Finance Office 1901 D St SE Tues-Fri 1pm-2pm. The person must have positive photo identification. Mailing your funds to someone takes 15 business days. Inmate Finance will deduct a percentage of your funds each month when restitution is court ordered.

When transferred to another institution, Inmate Finance will send your funds by check or money order within 30 days.

When released from custody you may claim your funds in person at the Inmate Finance Office, Tues-Fri 1pm-2pm.

CANTEEN

You may spend \$75 a month. There is a limit on the number/amount of some products you can buy. Special management inmates may not be able to purchase everything canteen sells. Inmate Finance will determine if you have enough money in your account. If not, you may receive a partial order. Your purchase will be directly delivered to you.

LEGAL ACCESS

Legal Visits

Your attorney of record, your attorney's agents/investigators and practicing legal interns can visit you 24 hours per day 7 days a week. You can refuse a legal visit. You must sign consent to allow the legal visitor to take photographs, video or audio recordings.

You may be escorted or sent by pass to the visiting hall. You are subject to pat search when leaving the housing unit and before the visit. You

will be strip searched after the visit. The visitor cannot give you any items (including legal documents to keep after the visit). You will remain partially hand-cuffed during the visit if under special status.

Legal Mail

Incoming. Legal mail shall be opened in your presence only to inspect for contraband. Staff cannot read your legal mail. You must sign a receipt when you receive legal mail.

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

LAW LIBRARY

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

INMATE GRIEVANCE PROCEDURES (IGP)

You should try to resolve matters by sending a request slip or discussing the complaint with the staff member or a supervisor. If this does not work, you may file an IGP within 15 days of the incident. You cannot file a IGP about any of the following issues.

- a. Parole Commission decisions,
- b. Decisions of the Adjustment or Housing Boards
- c. Classification Committee decisions,
- d. Requests under Freedom of Information Act,
- e. Inmate Accident Claims, Tort Claims,
- f. Complaints filed on behalf of other inmates, and
- g. Group complaints.

Your IGP must be about one (1) specific incident or complaint. Do not file more than one copy of the same complaint.

You may obtain the IGP (Blue form) from the housing unit staff. You can use plain paper too. Include your name, DCDC #, tell what happened, when it happened and what you think will settle the matter. Sign your name.

Place the IGP in the locked box marked "Grievances".

The IGP Coordinator or designee collects IGP's Monday--Friday.

A supervisor or manager shall investigate your complaint and respond to your issue with 3 weeks.

The Warden shall review the supervisor's recommendation and make a decision.

You will receive the written decision with reasons for the action taken.

First Appeal. You may file an appeal to the Deputy Director within 5 days of receipt of the Warden's decision. Attach a copy of the

Warden's decision. The Deputy Director will respond in writing in 21 days

Final Appeal. You may appeal the Deputy Director's decision to the Director, DOC within 5 days of receipt of the Deputy Director's report. Include a copy of the Warden's and the Deputy Director's decision. You should receive a response within 21 calendar days.

Emergency IGP. If you are in harm's way and the matter is an emergency or very sensitive, you may send your IGP straight to the Director. Write "Emergency IGP" on the sealed envelope and send it through regular institutional mail or place it in the IGP locked box. The Director will respond in 3 days of receipt.

MEDIA ACCESS

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

TELEPHONE CALLS

Case managers will assist with *emergency and program related* calls.

Social Calls. Telephones are in each housing unit. Use your Personal Identification Number (PIN) to make the collect call. Three-way calling is not permitted. You can only make one call at a time. The call may be for up to 10 minutes. No matter how short your call is, you must move to the end of the line before you can make another call. You shall not shout or curse when talking on the phone. DOC records/monitors phone conversations for security reasons.

SOCIAL VISITING

Eligible: All inmates except those on disciplinary detention

Visits are *Non contact*

Hrs: Mon-Fri 12 noon – 7pm Length: Two (2) 30-minute visits a week

Visitors must arrive at visitor's control by 6pm

Visitors: Up to two (2) adults and three (3) minors (18 & under)

Visitor ID: 18yrs and older – valid DC/State issued photo ID

Former inmates/Probation/Parole require the Warden's permission to visit (see your case manager).

DOC employees need the Warden's permission to visit inmate who is an immediate relative.

Emergency Visits. Contact your case manager

You may refuse a visit.

The Warden may temporarily suspend or modify the visiting schedule.

There is a Notice Posted at Visitors Control telling visitors that searches are required; about items they can bring; possible arrest for illegal

items; the dress code; and reasons visits can be denied/terminated.

Inmate Dress Code: Jumpsuits buttoned/zippered, white t-shirts under jumpsuit

You will be searched before and after visits

Long Term Visitor Suspension. Visitors may be suspended as followed. You or your visitor can appeal to the Deputy Director.

Minor contraband – 30 days to 1 year suspension

Major Contraband – 1 year to permanent and criminal prosecution

Disorderly Conduct – 30 days to 1 year

Refusing Search – 30 days to 1 year

Minor Incidents – 30 days to 1 year

Major Incidents – 1 year to permanent termination

MAIL

You can mail three (3) regular size letters free of charge each week if you do not have funds in your account.

You may purchase writing paper and postage stamps via canteen.

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

Magazines, Books and Newspapers: You may only purchase magazines and newspapers mailed directly from the publishing company. You cannot receive pornographic magazines.

INMATE RECORDS

The Records Office has your official file with commitment papers, face sheet, classification etc. The Federal Bureau of Prisons computes

sentences for felons. Send your case manager or Records Office staff

a request slip when you have questions about sentence computation.

Your institution records are confidential and you must sign consent to release information except when it is a matter of public record.

Public Records: Upon written request, DOC will issue information about you without your consent such as your name, DCDC number, full description (e.g., sex, race, height, weight, complexion, hair color, eye color, build, and any identifying marks), criminal charges, sentence, date of sentence(s), mandatory release date, full term date, dates of jail credits, earned good time, detainers, judgment & commitment order, date of birth. Your institutional photograph ("mug shot") shall only be released upon your consent or the Director's approval.

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

PROGRAMS

Case Management

A case manager will interview you at intake. Case Managers have offices on each housing unit and will meet with you within 72 hours of assignment to a housing unit. Case Managers shall assist you with orientation, classification, employment and program participation, and release planning.

Indoor/Outdoor Recreation

Schedules for outdoor recreation are posted on each housing unit. Indoor recreation includes board games, gym, general & educational TV.

Inmate Work Programs/ Details

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

Education

Youth: DC law requires you to attend school until your 18th birthday. DOC enforces this rule. DC Public Schools (DCPS) conducts classes at CDF.

Special Education: If you were in special education or it is determined that you need services, DCPS will provide services until you turn 22 years old.

Adult Education: CDF provides Adult Basic Education and GED classes. Send a request to the Academic Program or contact your case manager.

Educational Good Time: Sentenced inmates who maintain good conduct and who complete educational programs may receive good time credits to reduce the time served.

Chaplain and Religious Services

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

Substance Abuse Programs

The courts or your case manager may refer you or you may request it.

Reentry

You may receive release preparation and counseling. Prior to release you may be referred for community based health care, family and child services, housing, employment and educational assistance.

Release: *(This section does not include transfers to other facilities or state/federal jurisdiction).*

Inmates are released from CDF by court order or sentence expiration. You will be released by 10pm with your personal property, a DOC issued photo ID card (good for 60 days), community resources manual and a public transportation token or fare card.

PREVENTION AND ELIMINATION OF SEXUAL ABUSE

Sexual Assault

DOC prohibits sexual assault and shall seek criminal prosecution of staff and inmates who violate the law. Sexual assault is forced sexual contact through violence or intimidation.

Sexual Abuse

Even if you consent, the law requires and DOC strictly enforces the rule that employees who engage in sexual acts or sexual contact with you will be disciplined, terminated or referred for criminal prosecution.

Sexual Acts is penetration of your vulva or anus using the penis, mouth, finger or an object. (This does not include when a health care provider uses their hands or fingers or medical devices while investigating sexual abuse/assault or appropriate medical treatment unrelated to sexual abuse/assault; or when performing body cavity searches for security and safety within the facility consistent with constitutional requirements).

Sexual Contact is fondling your body (clothed or unclothed).

Sexual Misconduct. You are also protected from:

Sexual harassment. Sexual harassment is when (1) staff makes obscene or sexually offensive advances, gestures and comments; (2) makes promises in return for sexual acts/contact or threatens you for refusing sexual acts/contact or (3) for making a complaint of sexual misconduct. Promises include, among other things, influence over your safety, custody, privacy, privileges, work detail or program status.

Invasion of Privacy: When staff watches or attempts to watch you for their sexual pleasure.

Inmate Discipline for Sexual Assault and Sexual Contact

Inmates who engage in the sexual assault of another individual shall be referred for criminal prosecution. DOC shall take appropriate administrative actions to ensure that the predator is segregated.

Inmates who engage in sexual contact with another inmate shall be disciplined in accordance with PM 5300.1C.

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

What to Do When You Have Been Sexually Assaulted, Abused or Subjected to Sexual Misconduct

Tell a staff member. They will confidentially report information directly to the Warden or the highest official on duty.

Call the Confidential Sexual Misconduct Hotline at **(202) 671-2851** from any inmate telephone. The Office of Internal Affairs monitors the hotline. DO NOT CALL THIS NUMBER UNLESS REPORTING A COMPLAINT OF SEXUAL ASSAULT, SEXUAL ABUSE OR SEXUAL MISCONDUCT.

If you have been sexually assaulted by an employee or another inmate or if you have had sexual contact with an employee, it is very important that you immediately report it so you can receive medical attention, protection and local law enforcement can be notified. Follow all instructions because there may be evidence on your body or clothing that can help in the investigation.

Internal Investigation Procedures

The Office of Internal Affairs shall interview you and take action.

DOC may transfer the employee away from where you are housed and forbid the employee from further contacting you. Both you and the employee are not allowed to discuss this matter with each other.

DOC will try not to disrupt your housing or programming during the investigation, but when appropriate you may be placed in Administrative Segregation or transferred to another unit or institution.

DOC will notify you of scheduled interviews in advance and allow you to contact your attorney. Your attorney cannot testify at the interview but you can consult with him/her before answering questions. The Investigator may tape-record all testimony and shall draft a statement detailing testimony from each person who is interviewed.

DOC will notify you in writing of investigation findings and appeal procedures.

PM 5300.1C INMATE DISCIPLINARY CODE OF OFFENSES

1. CLASS I MAJOR OFFENSES

- a. Referral for Criminal Prosecution. Any of the following Class I offenses alleged to have been committed in the institution may be referred for prosecution.
- b. Referral for prosecution does not restrict DOC from imposing administrative discipline with corresponding penalties, outlined in this Chapter, Section 3 "Penalties for Class I Major Offenses."

101 Murder/Homicide

102 Manslaughter

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

104 Kidnapping

105 Burglary – First degree

106 Armed Robbery

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

- (a) Willfully or forcefully causing serious bodily injury to another inmate, a correctional employee, volunteer, contract worker or visitor; or
- (b) Willfully or forcefully causing serious bodily injury with a weapon or by any means to any person; or
- (c) Physically assaulting, resisting, opposing, impeding or interfering with any person.

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

109 Sexual Abuse Inmate-Upon-Inmate

- (a) The carnal knowledge, oral sodomy, sexual assault with an object or sexual fondling of a person, forcibly or against that person's will;

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

110 Escape includes:

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

- (e) Willfully failing to return to the facility by the time designated on a community release activity pass.

111 Possession of Major Contraband. Major Contraband is any item in an inmate's possession or control (to include within his or her cell, clothing or immediate surroundings) that is illegal by law or expressly prohibited by those legally charged with the administration and operation of the facility. Items of Major Contraband include but are not limited to:

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

2. The following offenses may incur the maximum penalties outlined in this Chapter under Section 3 "Penalties for Class I Major Offenses."

112 Assault Without Serious Injury

113 Restraint is willfully constraining another person under circumstances which expose the other person to a risk of bodily injury.

114 Arson is willfully starting a fire or causing an explosion, which damages personal or institutional property.

115 Tampering With a Witness or Informant is:

- (a) Attempting to induce, inducing, or otherwise causing a witness or informant to testify or inform falsely or to withhold any testimony or information or other evidence; or
- (b) Retaliating or attempting to retaliate for anything done by another person in his or her capacity as a

witness or informant.

116 Bribery is willfully, directly or indirectly, giving, offering, or promising anything of value to another inmate, employee, volunteer or other authorized visitor with the intent:

- (a) To influence any official act or any act within the official responsibility of any person;
- (b) To induce any person to do or omit doing any act in violation of his or her duty; or
- (c) To induce any person to introduce contraband into the facility.

117 Inciting to Riot. A riot is a wild or violent disorder, confusion or disturbance. Inciting to riot is purposefully:

- (a) Urging a group of two or more other inmates to engage in a current or impending disturbance or disruptive event; or
- (b) Giving direction to a group of two or more inmates to cause, continue, or enlarge a violent or tumultuous disturbance or disruptive event.

118 Engaging in a Disruptive Event. A disruptive event is an incident brought on by the inmate's action that resulted in serious injury to staff or other inmates and/or loss of control of the facility or a portion of the facility and required extraordinary measures to regain control. Loss of control of the facility is defined as a situation in which inmates are acting in concert to disrupt facility operation and refuse to comply with lock down orders. They may take hostages or appear to be prepared for physical conflict. Hostile intent is apparent and threats are noted. Extraordinary measures are required to regain control such as sending in a significant number of ERT, firing shots.

3. **PENALTIES FOR CLASS I MAJOR OFFENSES.** The accused, if found guilty at the disciplinary hearing, shall be subject to one or more of the following:
- a. Disciplinary Detention may be for up to the remainder of your sentence or release from custody. Only the Warden shall approve continuous disciplinary detention for more than 30 days.
 - b. Referral to Classification for consideration in a change in custody status that may also result in a change in an inmate's housing assignment;

- c. Loss of privileges for up to ninety (90) days (privileges are defined in this Chapter, Section 10 "Restrictions While In Disciplinary Detention"); or Loss of work assignment.
- d. Repetition of a Class II Offense. If found guilty, an inmate who is found to have three (3) or more repeated violations of a particular Class II offense during the current period of incarceration, may receive allowable penalties of a Class I offense.

4. **CLASS II – SERIOUS OFFENSES**

201 Class II Assault. Willfully subjecting an employee of the DOC to offensive bodily contact

202 Extortion, blackmail protection is demanding or receiving money or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing.

203 Threatening conduct is

- (a) Communicating intent to injure another person or commit a crime of violence or an unlawful act dangerous to human life that:
 - (1) Places another person in fear of serious bodily injury;
 - (2) Causes evacuation of a building; or
 - (3) Causes serious disruption or alarm.
- (b) Willfully compelling or inducing another person to engage in conduct from which the latter has a legal right to abstain or prohibiting conduct in which he/she has a legal right to engage, by means of instilling in that person a fear that non-compliance with the demand will result in one of the following:
 - (1) Cause bodily injury to someone;
 - (2) Cause significant damage to property;
 - (3) Accuse someone of an offense or cause charges to be instituted against someone.

204 Possession of Serious Contraband. Serious Contraband is any item in an inmate's possession or control (to include within his or her cell, clothing or immediate surroundings) that is expressly prohibited by those legally charged with the administration and operation of the facility. Items of Serious Contraband include but are not limited to:

- (a) Any intoxicating beverage to include possession, having control of, making, using or being under the influence.
- (b) Smoking materials and tobacco products.
- (c) Currency or coins.
- (d) Cell phones and accessories.

205 Creating a Minor Disturbance is willfully causing a non-violent disorder that disrupts the orderly operation of the facility.

206 Sexual Activity is consensual activity between two inmates or an inmate and a family member or another during a social visit as follows:

- (a) Homosexual Activity -- physical contact with the genital parts, oral or anus of another person of the same sex.
- (b) Heterosexual Activity -- physical contact of the breasts, genitalia, oral or anus of a person of the opposite sex.
- (c) Sexual Contact -- The intentional touching or fondling, either directly or through clothing, of the private body parts of another (including genitalia, anus, groin, breast, inner thigh or buttocks) for the purpose of sexual gratification.

207 Indecent Exposure is the intentional exposure of genital parts to any person.

208 Theft is willfully taking or withholding the property of another person or entity without permission, authorization or authority.

209 Damage or destruction of property occurs when an inmate destroys property belonging to the institution or to any person or does damage to property of the District of Columbia or any individual.

210 Possession of Stolen Property is having the property of

another without written authorization of relinquishment that the owner has submitted to the CDF property officer.

211 Disrespect is making any profane, obscene, or abusive remark to, about, or in the presence of any employee, volunteer or visitor.

212 Lack of Cooperation is:

- (a) Willfully disobeying a valid order of a correctional employee; or
- (b) Failing to respond to any question or direction of any employee of the Department or other custodial official.

213 Fighting is when two or more inmates engage in a physical altercation leading to the exchange of blows or bodily contact.

214 Illegal Enterprise is running a store or stockpiling canteen in excess of authorized limits for the purpose of profit or personal gain or providing unauthorized services for payment.

215 Falsifying Physical Evidence is:

- (a) Altering, destroying, concealing, or removing anything, with intent to impair its authenticity or availability in any official investigation or proceeding; or
- (b) Presenting or using anything that is known to be false with intent to deceive an employee or anyone who is or will be involved in the proceeding or investigation.

216 Forgery or Tampering is the fraudulent reproduction or alteration of a document or other written item.

217 Lying is:

- (a) Making a willful, malicious and false report or statement about an employee;
- (b) Making a false statement with intent to avoid disciplinary action for violation of an institutional regulation or to aid another inmate in such an endeavor; or
- (c) Knowingly making a false statement about another inmate with the intent of affecting the inmate's housing or program status.

218 Impeding an Employee in the Performance of Duties is intentionally obstructing, interfering, opposing or resisting any employee in an investigation or the performance of any duties.

219 Giving a False Alarm is communicating an untrue report concerning a fire, explosion, or the present commission of an assault, forcible sexual assault or kidnapping, or other catastrophe or emergency where the report is likely to cause the evacuation of a building or to cause the staff to respond to an alarm.

220 Out of Bounds includes:

- (a) Failure to report to an appointed place of duty or assignment or any other place to which directed by a valid order of an employee or regulations;
- (b) Leaving any place where directed to remain by an employee or institutional regulations; or
- (c) Being in an unauthorized area.

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

5. **PENALTIES FOR CLASS II OFFENSES.** If, after a hearing pursuant to Disciplinary Board procedures, the accused is found to have committed a Class II Serious Offense, the inmate is subject to any one or more of the following:
- a. Disciplinary segregation for up to thirty (30) days. When an inmate is found guilty of multiple Class II offenses, the maximum sanction may be increased to up to sixty (60) days for the combined violations that arose out of the one incident;
 - b. Loss of social visits, telephone or canteen purchase privileges for up to ninety (90) days;
 - c. Extra duty; or
 - d. Loss of work assignment.
 - e. Execution of the imposed sanction may be suspended upon conditions of the inmate maintaining clear conduct for a specified time period;
 - f. Repetition of Class III Offenses. If found guilty, an inmate who is found to have three (3) or more repeated violations of a particular Class III offense during the current period of incarceration, may receive allowable penalties of a Class II offense.

6. **CLASS III – MODERATE OFFENSES**

301 Minor Contraband is:

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

302 Interference with the Orderly Operation of the Facility is:

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

303 Gambling is:

- (a) Playing any game for money or other things of value, including, but not limited to cards or dice;
- (b) Betting by those observing a game in person or while listening to the radio or looking at television; or
- (c) Organizing any game of chance, lottery, betting pool, or other means of gambling.

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

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

7. **PENALTIES FOR CLASS III OFFENSES.** If, after a hearing pursuant to disciplinary procedures or through informal resolution pursuant to this directive, the accused is found to have committed a Class III Moderate Offense, the inmate is subject to any one or more of the following. Execution of the imposed sanction may be suspended upon conditions of the inmate maintaining clear conduct;
- a. Loss of social visits, telephone or canteen purchase privileges for up to sixty (60) days;

- b. Extra duty;
 - c. Loss of work assignment; or
 - d. If after a hearing and a finding of guilt, the imposition of disciplinary segregation status that does not exceed ten days
 - e. Execution of the imposed sanction may be suspended upon conditions of the inmate maintaining clear conduct for a specified time period;
8. Repetition of Class III Offenses. If found guilty, an inmate who is found to have three (3) or more repeated violations of a particular Class III offense during the current period of incarceration, may receive allowable penalties of a Class II offense.

9. **CLASS IV – MINOR OFFENSES**

- 401 Disorderly Appearance** is an inmate's failure to keep his or her clothing and person reasonably clean and orderly; or
 - 402 Creating a Health, Safety, or Fire Hazard** includes any activities, which may cause a fire or creates a danger to health and safety.
 - 403 Abuse of Privileges** is violating any institution regulation dealing with a privilege such as telephone use or removing food from the culinary area.
 - 404 Abuse of Living Quarters** is an inmate's:
 - (a) Failure to make his or her own bed neatly each day;
 - (b) Failure to keep his or her own living quarters clean and orderly; or
 - (c) Failure to keep articles issued by the institution or purchased from the canteen neatly in an approved place.
 - 405 Unauthorized Use of Property** is taking, exercising control over, or otherwise using property without consent or authorization.
10. **PENALTIES.** If, after a hearing pursuant to disciplinary procedures or through informal resolution pursuant to this directive, the accused is found to have committed a Class IV Moderate Offense, the inmate is subject to any one or more of the following.
- a. Loss of social visits, telephone or canteen purchase privileges for up to 30 days;

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

PREHEARING DETENTION

A Lieutenant or a higher authority can place you in prehearing detention pending the disciplinary hearing when there is evidence that you pose a clear and present danger to yourself, others or to the security of the facility. The Shift Commander will review placement within 24 hours to determine if you should remain in segregation. The Warden will conduct further review with 72 hours.

DISCIPLINARY REPORT (DR)

The DR shall include your name, DCDC #, Housing Unit, Cell # and the squad when the incident occurred at your work site; the charges against you including: (1) the specific rule(s) violated [example: Assault with Serious Injury] and (2) the Code Reference [example: Class I, Section 106 (a)], (3) witnesses to the alleged offense; (4) a formal statement of the charge to include who was involved, what happened and the time and location of the incident, (5) any unusual behavior; (6) any physical evidence and its disposition, (7) confidential information and any other reports, memoranda, or records concerning an alleged offense shall be attached to the investigative report, (8) any immediate action taken, including the use of force, and (9) the reporting staff member's signature and date and time of the report.

Filing. The writer shall file the DR with the Shift Supervisor before completion of the tour of duty on the day of the incident. With the Shift Supervisor's approval the DR may be submitted within 48 hours.

Investigation

Completed by the Investigating Officer within 72 hours of the DR being

filed. The Investigating Officer shall review the DR for accuracy (correct charge(s), misspelled words, etc). The Investigation Officer will interview and obtain statements from you and witnesses. The Investigating Officer can (1) reject the DR when charges are not supported, (2) reduce the charges, (3) with your cooperation, informally resolve a Class III or Class IV offense or (4) refer the DR for a Hearing.

Informal Resolution Determination of Class III and Class IV Offenses

The Investigating Officer may accept your admission of guilt and impose discipline like loss of privileges. *Informal resolution does not include disciplinary detention. Disciplinary detention requires a formal hearing.* You must sign paperwork that you agree with the informal resolution. Any offers at informal resolution are not binding in any way on a Hearing Officer or the Disciplinary Board in a formal hearing on the charges. Admissions you made during informal resolution discussions can not be used in a formal hearing on the charges if at the hearing you deny previous statements, plead not guilty or decline to make a statement.

Notice of Formal Disciplinary Action and Procedures

The Investigating Officer will advise (1) you that discipline is pending, (2) of your right to remain silent and that what you say can and may be used against you at this and any subsequent proceedings.

The Investigating Officer will write down your statement or note when you did not want to make a statement.

The Investigating Officer will give you a copy of the DR

You have the option of:

- (1) a single Hearing Officer or a 3 member Disciplinary Board and
- (2) a Public Defender Service representation for Class I offenses or a DOC staff representative for Class II offenses.

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

You will be asked to sign the Investigation Report to show you received it. This is not admitting guilt.

DISCIPLINARY BOARD HEARINGS

Hearings are held Monday through Friday, except holidays.

You should have a hearing within 7 days (not including weekends and holidays) of the alleged offense. The Hearing Officer will let you know 24 hours in advance of the hearing.

You may request a 3 business day continuance if your representative or an important witness is not available or further investigation is needed.

INMATE REPRESENTATION

The legal representative or staff representative will (1) interview you prior to the hearing, (2) talk to witnesses, (3) review statements and charges, (4) make a statement and present evidence at the hearing and (5) help you to present your defense.

HEARING BOARD/OFFICER

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

HEARING PROCEDURES

You are required to attend the hearing unless you waive this in writing. DOC may remove you from the hearing if your conduct dictates.

You will be informed of your rights.

The hearing will be taped or detailed notes will be taken. All reports and evidence will be read to you.

You are allowed to make a statement/present evidence or remain silent.

You may hear witness testimony but only your representative or the Board/ Officer can question witnesses. The number of witnesses will be limited to those who can provide testimony to the incident without everyone repeating the same testimony or when bringing the witness poses a security problem.

The Board/Officer will decide and advise you of the finding of guilt or innocence; if the finding is guilt, you or your representative can make a final statement on your behalf.

The Board/Officer may review your institution record for past disciplinary reports or your behavior to help determine appropriate discipline.

The Board/Officer will tell you its decision.

Within 5 business days, the Warden/designee will either (1) approve the action, (2) dismiss the case, (3) reduce disciplinary detention time or (4) send your case back for more review when the Board/Officer failed to consider relevant evidence.

APPEAL

You or your representative may send a written appeal to the Warden within 3 business days based upon challenge to the evidence of the amount of punishment.

The Warden will provide you with a written decision within 5 business days of receipt of your appeal.

DISMISSAL

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

RESTRICTIONS WHILE IN DISCIPLINARY DETENTION

No visits and phone calls for social reasons

30 minutes to shower and shave

No program participation (unless school is mandatory by law)

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

ADMINISTRATIVE SEGREGATION (AS)

A Lieutenant or higher official may place you on AS because of (1) a court order; (2) for voluntary or involuntary protective custody when there are identified enemies and/or threats; (3) when evidence supports that you are a serious threat to others; (4) when evidence supports that you are a definite escape risk because of actual or attempted escapes or you are found with escape instruments; or (5) you are pending prosecution for a crime you committed while incarcerated.

The Warden or designee shall review your status within 72 hours.

You will have a formal hearing within 7 business days of placement unless facility emergency circumstances delay the hearing.

You can request a staff representative to assist you at the hearing.

HOUSING BOARD HEARING

Hearings are tape recorded or detailed notes are taken.

The reasons for AS placement and evidence used shall be read to you.

You or your representative may make a statement and present evidence

The Board will consider testimony, documents, witnesses and evidence

You will be verbally informed of the decision.

APPEAL

You must submit the appeal within 3 business days stating why you feel the decision should be reversed. The Warden will issue a written decision to your appeal within 3 business days of receipt of your appeal.

ADMINISTRATIVE REVIEW REHEARINGS

The Housing Board will review your status every 7 days for the first two months to determine if you can be placed in less restrictive status. You can send evidence on your behalf. You will only attend the hearing every 30 days during the first sixty days of AS.

After the first two months, the Housing Board will review your status every 30 days and you will appear in person every 90 days. You will be able to send evidence every 30 days.

When the Board determines there is no longer a risk, you may be released to general population.

ADMINISTRATIVE SEGREGATION – GENERAL PRIVILEGES

Medical care, medication and access to basic personal care

Shower three times per week, hair care

Laundry exchange like general population

Books, visits, mail and telephone calls; religious counseling, canteen

Five (5) hours per week out-of-cell recreation

Special education and related services for eligible youthful offenders.

POLICIES AVAILABLE THROUGH THE LAW LIBRARY

1270.1	Victims Information & Notification Everyday (VINE)
1300.1	Freedom of Information FOIA
1300.2	Consent to Release of Information
1340.2	Media Relations
3350.2	Prison Rape Elimination Act
3350.	Employee Code of Ethics
4020.1	Admissions and Orientation Program, Inmates
4030.1	Inmate Grievance Process (IGP)
4050.1	Inmate Property
4070.1	Telephone Access, Inmate
4070.4	Inmate Correspondence
4080.1	Inmate Visiting Regulations
4090.3	Classification and Reclassification
4110.7	Educational Programs
4151.1	Inmate Recreation Program
4157	Canteen
4160.3	Attorney Client Relationship
4160.4	Law Library
4160.6	Inmate Marriages
4161.1	Recording Legally Changed Name
4210.2	Non-Industrial Pay System
4220.1	Release Gratuities
4340.2	Educational Good Time Credits
4350.1	Sex Offender Registration
4353.3	Separation Cases
4410.1	Religious Program
4740.1	Culinary Workers Exam & Daily Workers Inspection
4923.1	Work Release Program
4923.6	Mandatory Release to Supervision
5300.1	Inmate Disciplinary and Administrative Hearings
6060.1	Smoke Free Workplace