

EXHIBIT B

TERRE HAUTE

CMU INSTITUTION SUPPLEMENT



U.S. Department of Justice
Federal Bureau of Prisons
U.S. Penitentiary
Terre Haute, IN 47808

Number: THX-5270.07A
Date: November 30, 2006
Subject: Operation & Security of
the Communication
Management Unit (D-Unit
- FCC Terre Haute)

INSTITUTION SUPPLEMENT

1. **PURPOSE:** This supplement establishes guidelines and procedures for operation and security of the Communication Management Unit (CMU) in D-Unit, FCC Terre Haute, Indiana.

The CMU is established to house inmates who, due to their current offense of conviction, offense conduct, or other verified information, require increased monitoring of communication between inmates and persons in the community in order to protect the safety, security, and orderly operation of Bureau facilities, and protect the public.

The CMU is a self-contained general population housing unit where inmates reside, eat, and participate in all educational, recreational, religious, visiting, unit management, and work programming within the confines of D-Unit. Additionally, the unit contains a range of cells dedicated to segregated housing of those inmates in need of being placed in administrative detention or disciplinary segregation status.

2. **ADMISSION & ORIENTATION / CLASSIFICATION AND REVIEWS:** The Unit Manager is responsible for administering the Admission and Orientation program (A&O) in compliance with national policy. The purpose of the program is to familiarize each inmate with the unit staff, unit procedures, expected behavior, and programs available. All items on the A&O checklist will be covered and utilized for verification of participation. As part of A&O, D-Unit inmates will receive a copy of this Institution Supplement and an A&O Handbook.

Classification and reviews of D-Unit inmates will occur according to national policy. Additionally, within five calendar days of arrival, D-Unit inmates will be provided a "NOTICE TO INMATE OF TRANSFER TO COMMUNICATION MANAGEMENT UNIT" form indicating the reasons for their placement in the unit. A blank copy of the form is included with this Institution Supplement as Attachment "A."

3. **CONTACT WITH PERSONS IN THE COMMUNITY:** The purpose of the CMU in D-Unit is to provide increased monitoring of communication of the inmates assigned to it. By operating a self-contained housing unit, staff may adequately regulate and monitor all communications between inmates and persons in the community. All contact between D-Unit inmates and persons in the community may

occur according to national policy, with necessary adjustments indicated herein. Under no circumstances will privileged attorney-client communication be monitored, as prohibited by national policy.

(a) **Written General Correspondence.** All incoming and outgoing written general correspondence must be reviewed by staff prior to delivery to the inmate or further processing to the post office.

(b) **Telephone Communication.** All telephone communication between inmates and persons in the community (except properly placed, unmonitored legal calls) will be:

- (1) conducted using monitored ITS phone lines;
- (2) be live-monitored by staff;
- (3) be subject to recording by staff; and
- (4) occur in English-only (by both the inmate and community call-recipient) unless previously scheduled for and conducted through simultaneous translation monitoring.

Persons for whom an inmate requests placement on the approved telephone list must complete the "Acknowledgment of Conditions for Telephone Contact with Inmates in the Communication Management Unit, FCC Terre Haute," form included with this Institution Supplement as Attachment "B," as proof of their acknowledgment and acceptance of these conditions. Monitored calls where either party speaks in non-English will be immediately terminated by the staff monitor unless previously scheduled and conducted through simultaneous translation monitoring. In the event of terminated calls, inmates may be subject to disciplinary action, and the person may be removed from the inmate's approved telephone list.

In no event will the frequency or duration of telephone calls placed by D-Unit inmates be limited to less than one telephone call per month (28 C.F.R. § 540.100(b)) of at least three minutes duration (28 C.F.R. § 540.101(d)). Unmonitored legal calls are not affected, and will continue to be managed according to national policy.

(c) **Visiting.** All visiting between inmates and persons in the community (except properly scheduled, unmonitored legal visits) will be:

- (1) conducted using non-contact facilities (i.e., secure partitioned rooms, telephone voice contact);
- (2) be live-monitored by staff;
- (3) be subject to recording by staff; and

(4) occur in English-only (by both the inmate and visitor) unless previously scheduled for and conducted through simultaneous translation monitoring.

Persons for whom an inmate requests placement on the approved visiting list must complete the "Acknowledgment of Conditions for Visiting with Inmates in the Communication Management Unit, FCC Terre Haute," form included with this Institution Supplement as Attachment "C," as proof of their acknowledgment and acceptance of these conditions. Monitored visiting where either party speaks in non-English will be immediately terminated by the staff monitor unless previously scheduled and conducted through simultaneous translation monitoring. Ordinarily, visiting will be scheduled to occur on weekdays for two-hour periods.

4. HOUSING CONDITIONS / UNIT PROGRAMS / SERVICES: D-Unit is a self-contained general population housing unit where inmates reside, eat, and participate in all educational, recreational, religious, visiting, unit management, and work programming within the confines of D-Unit. All national policies apply to administration of D-Unit, except as otherwise modified in this supplement as necessary to effect the unit's mission of increased monitoring of communications, and pursuant to the Warden's authority to make the necessary changes to protect the safety, security, and good order of the facility, or to protect the public.

(a) **Cell Assignments.** D-Unit inmates will ordinarily be housed in double bunked cells. Additionally, the unit contains a range of cells dedicated to segregated housing of those inmates in need of being placed in administrative detention or disciplinary segregation status. Cells #8-13 are designated as segregation housing for D-Unit inmates placed in administrative detention status or disciplinary segregation status.

(b) **Health Services.** Health Services staff will provide sick call in the unit four days a week (Mondays, Tuesdays, Thursdays and Fridays). Medications will be delivered and/or administered in the unit twice daily. Inmates may request to be seen by a physician in the unit's medical examination room. Specialized services may be provided in the institution's main health services units as needed, under conditions which ensure D-Unit inmates' lack of contact with non-D-Unit inmates.

(c) **Mental Health Services.** Psychology staff will provide D-Unit inmates an initial psychological assessment within 14 days of arrival in the unit for new commitments and within 30 days for

transfers. Mental health services thereafter will occur according to national policy. Inmates may request to be seen by a psychology staff member in the unit's medical examination room.

(d) **Meals.** All inmate meals will be served and consumed in the unit dining area.

(e) **Education / Recreation Services.** National education policies will be implemented in D-Unit. Inmates will ordinarily be permitted to leave their cells and participate in activities in the unit daily from 6:00am to 9:15pm, except during counts.

Leisure and law library services will be provided to inmates daily. Photocopies may be obtained by submitting a Request to Staff to the law librarian or the Unit Team.

Inmates will be provided table games such as chess, checkers and cards. Hobbycraft opportunities will also be provided.

There are four televisions available in the unit common areas for viewing. Movies will be shown using closed-circuit televisions.

The inside recreation rooms will contain various recreation activities to include handball, stationary biking, stair-stepping machines, and walking. No exercise equipment will be permitted in outside recreation areas.

(f) **Religious Services.** National religious services policies will be implemented in D-Unit. All communication with religious services providers from the community will be monitored as indicated in Section 3 of this Institution Supplement, depending on the means of communication used.

(g) **Personal Property.** National personal property policies will be implemented in D-Unit. Inmates are allowed to maintain up to three cubic feet of legal material in their cell. Temporary additional space for active litigation material may be requested from the Unit Manager.


(h) **Commissary / Trust Fund Operations.** National commissary and trust fund operation policies will be implemented in D-Unit. Each inmate will be afforded the opportunity to purchase allowable items from the commissary if funds are available in the inmate's commissary account. Commissary purchase forms will be issued on Tuesdays of each week, and after completion of the forms they will be forwarded to the commissary for processing by COB Wednesdays. The commissary items will be delivered to the

unit by commissary staff on Thursdays of each week. Any special purchases (personal radios, etc.) must be approved by the Unit Manager.

(i) **Sanitation.** D-Unit inmates are responsible for sanitation of their living areas. Unit orderly job assignments will be made by the Unit Manager. Inmate showers will be available daily. Clean, serviceable clothing will be issued to each inmate upon his arrival to the unit. Unit laundry service will be available for issued clothing on Mondays, Wednesday, and Fridays. D-Unit inmates are responsible for laundering their own personal clothing. Barber services in D-Unit will be conducted within the unit. Inmates should submit an inmate request to staff at least one week in advance of the desired time for a haircut.

(j) **Work Assignments.** Work assignments will include orderlies for unit sanitation, food service, laundry and recreation, and will be assigned by the Unit Manager.

5. **ADMINISTRATIVE REMEDY PROGRAM:** You may appeal your transfer to D-Unit, or any conditions of your confinement, through the Bureau's Administrative Remedy Program, 28 C.F.R. §§ 542.10 through 542.19, and corresponding policy. A member of your Unit Team will provide you with the necessary form upon request.



R.V. Veach, Warden

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NOTICE TO INMATE OF TRANSFER TO COMMUNICATION MANAGEMENT UNIT

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

Inmate Name (Last, First, Middle):	Register Number:
Warden (print and signature):	Institution:

NOTICE: This notice informs you of your transfer to a Federal Bureau of Prisons (Bureau) facility that allows greater management of your communication with persons in the community through more effective monitoring of your telephone use, written correspondence, and visiting. Your communication by these methods may be limited as necessary to allow effective monitoring. Your general conditions of confinement in this unit may also be restricted as necessary to provide greater management of your communications. Your transfer to this unit, by itself, will have no effect on the length of your incarceration. You will continue to earn good-conduct sentence credit in accordance with Bureau policy.

Your transfer to this facility under these conditions is based on the following specific information:

Based on this information, your transfer to this facility for greater communication management is necessary to the safe, secure, and orderly operation of Bureau institutions, or protection of the public. Your continued designation to this facility will be reviewed regularly by your Unit Team under circumstances providing you notice and an opportunity to be heard, in accordance with the Bureau's policy on Classification and Program Review of Inmates.

OPPORTUNITY TO APPEAL TRANSFER DECISION - You may appeal this transfer decision, or any conditions of your confinement, through the Bureau's Administrative Remedy Program, 28 C.F.R. §§ 542.10 through 542.19, and corresponding policy. A member of your Unit Team will provide you with the necessary form upon request.

INSTRUCTIONS TO STAFF - Provide the inmate a copy of this form and complete the following information documenting delivery.

Staff Member Name and Position (printed):	Staff Member (signature):	Date Issued:
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Acknowledgment of Conditions for
Telephone Contact Inmates in the Communication Management Unit,
FCC Terre Haute

_____, _____, an inmate housed in the CMU
(Inmate Name) (Reg. No.)

at the Federal Correctional Complex (FCC), Terre Haute, Indiana, requests your name be placed on his approved telephone list.

As a condition of being placed on this inmate's approved telephone list, you agree to the following conditions:

- (1) All telephone communication between you and the inmate will be subject to monitoring and recording by Bureau of Prisons staff;
- (2) Your telephone conversation with the inmate will occur in English-only, unless previously scheduled for, and conducted through, simultaneous translation monitoring; and
- (3) Monitored calls where either party speaks in non-English will be immediately terminated by the staff monitor unless previously scheduled and conducted through simultaneous translation monitoring. In such cases, inmates may be subject to disciplinary action, and you may be removed from the inmate's approved telephone list.

Signature

Date Signed

Printed Name

Phone Number

Acknowledgment of Conditions for
Visiting with Inmates in the Communication Management Unit,
FCC Terre Haute

_____, _____, an inmate housed in the CMU
(Inmate Name) (Reg. No.)

at the Federal Correctional Complex (FCC), Terre Haute, Indiana, requests your name be placed on his approved visiting list.

As a condition of being placed on this inmate's approved visiting list, you agree to the following conditions:

- (1) All communication between you and the inmate during the visit will be subject to monitoring and recording by Bureau of Prisons staff;
- (2) Your conversations with the inmate during the visit will occur in English-only, unless previously scheduled for, and conducted through, simultaneous translation monitoring; and
- (3) Monitored conversations where either party speaks in non-English will be immediately terminated by the staff monitor unless previously scheduled and conducted through simultaneous translation monitoring. In such cases, inmates may be subject to disciplinary action, and you may be removed from the inmate's approved visiting list.

Signature

Date Signed

Printed Name