

PRISON RAPE ELIMINATION ACT

The Federal Government and the Utah State Department of Prison Operations, including county jails, strive to maintain the safety and security of all offenders. If you or anyone you know has been sexually assaulted, or threatened with sexual assault, the reporting procedures vary according to the location in which you are incarcerated:

1. If you are housed in the Draper or Gunnison sites, you may A) contact any officer or staff member you feel comfortable with, or B) call the Confidential Reporting Hotline. For the Draper facilities, the number is (801) 576-7282. For the Gunnison facilities, the number is (435) 528-6099.
2. If you are housed in a county jail, see its posted procedures.
3. If you are housed in a Community Correctional Center, see its posted procedures.

If you have been sexually assaulted by anyone or you feel you are being pressured by anyone for money, property, or sexual favors, you should immediately contact a correctional officer or any staff member with whom you feel comfortable or call the confidential sexual assault reporting hotline. It is imperative that you contact one of these individuals immediately so they can help you.

Victim

If you are a victim of sexual assault, it is crucial that you report it immediately. If possible, *do not bathe, shower, change your clothes, brush your teeth, or use the restroom*. It is important that evidence be collected to assist in your attacker's prosecution.

The person you contact will immediately insure your safety. If an examination is determined to be necessary, qualified medical personnel will perform it and you will receive treatment for any injuries. At your request, a representative will be present during the examination to assist you and provide support.

To ensure your safety, a variety of steps may be taken, based on your individual circumstances. Additional counseling and medical assistance is available to you on a continual basis.

Perpetrator

If you are the perpetrator of a sexual assault, the following risks are involved:

1. New criminal charges and/or loss of parole date,
2. The danger of contracting the HIV virus that causes AIDS and/or contracting other sexually transmitted diseases,
3. Administrative segregation to include loss of any privileges such as work, school, recreation time, etc.

ADA—AMERICANS WITH DISABILITIES ACT

The Americans with Disabilities Act is intended to protect individuals with disabilities from discrimination on the basis of disability in the employment, services, programs, or activities of all state and local governments and their agencies. Therefore, disabled inmates shall not be excluded from participation in or be denied the benefits of services, programs, or activities due to disability except on the basis of undue hardship, business necessity, health and safety, security, or other lawful reason.

To be considered for an ADA accommodation, inmates will complete the Inmate ADA Request Form and submit it to the Department ADA Coordinator in the DPO Administration Office. Forms are available from your housing unit managers and OMC and must be witnessed by staff before submitting.

Requests for ADA accommodation typically require an inmate to be limited in a major life activity such as walking, communicating, hearing, speaking, learning, writing, and breathing.

Requests for a medical, dental, or mental health visits, diagnosis, medication, or medical equipment are not considered ADA request. These must be rendered through medical by a medical professional. Clearances such as bottom bunk, bottom tier, shoes, eyeglasses, hearing aids, canes, etc. may not be considered to be ADA issues unless you are limited in a major life activity or denied equal access if these items are not available. To seek medical advice, attention, equipment, or medication you must request to be seen by medical, dental or psychology following the Health Care guidelines in this manual.

To ensure effective communication with inmates who have a hearing disability, the Utah Department of Corrections will provide appropriate auxiliary aids and services free of charge, which may include: qualified sign language interpreters and oral transliterators, TTYs, video phones, note-takers, computer-assisted real time transcription services, written materials, telephone handset amplifiers, assistive listening devices and systems, telephones compatible with hearing aids, closed caption decoders or TVs with built-in captioning, and open and closed captioning of Utah Department of Corrections' programs. Utah State law specifically allows the Utah Department of Corrections to charge a copayment for medical services and devices for inmates. However, an inmate may not be denied medical treatment or medical devices, such as hearing aids necessary for effective communication, on the grounds that the inmate is indigent.

OFFENDER CODE OF CONDUCT

All inmates are expected and required to adhere to the following rules and regulations pertaining to the inmate code of conduct.

Inmates shall:

1. Respect the civil and legal rights of all persons,

2. Be respectful, courteous, and civil with the public, staff, and each other and shall not use coarse, loud, profane, or unnecessarily harsh language,
3. Observe and abide by institutional rules,
4. Not engage in “horseplay” or the playing of pranks at any time,
5. Not engage in discussion or debates, nor speak disparagingly of the nationality, race, or beliefs of any persons to the detriment of safety, security, management, or control of the institution,
6. Not become involved or become a member of any organization, association, movement, group, gang, or combination thereof which has adopted a policy of advocating violence or acts of force to deny others their constitutional rights, advocate racial or religious discrimination as a political philosophy or objective, or threatening the safety, security, management, or control of the institution,
7. Not ridicule, mock, deride, taunt, or belittle any person or group of persons, or willfully embarrass, humiliate, or do anything that might incite any person to act out in an inappropriate manner,
8. Not engage in or encourage others to engage in any form of sit-down, slow-down, or work stoppage,
9. Not use equipment, facilities, supplies, etc. for anything other than the purpose for which it was intended or without proper authorization,
10. Perform assigned duties or tasks promptly as directed and as required by law and consistent with institutional policy and procedures,
11. Be provided by the institution with an identification (ID) card to be maintained in their personal possession when away from designated housing unit,
12. Request clarification from staff on unclear instructions, orders, policies, procedures, etc.,
13. Not accept loans, gifts, compensations, or barter from other inmates,
14. Not purchase, bargain, etc. for items belonging to other inmates,
15. Not sell, trade, or loan items to other inmates,
16. Not have any involvement in the setting or maintaining of any fire,

17. Not commit assault and battery, assault with a deadly weapon, or assault with a bodily fluid or bodily waste,
18. Not engage in or incite a riot (i.e., not create or engage in a disturbance of correctional operations),
19. Not escape, attempt to escape, or plan an escape,
20. Not be in possession or use of a firearm, explosive weapon, or infernal device,
21. Not commit robbery,
22. Not commit a sexual assault or make a verbal, physical, or written threat of sexual assault,
23. Not take any hostage,
24. Not intentionally cause the death of another,
25. Not fight,
26. Not tamper with, interfere with, alter, jam, jack, or otherwise damage or destroy a lock, locking device, locking mechanism, or security device,
27. Not possess or use any intoxicants or unauthorized drugs, produce a positive urinalysis or breath analysis, or refuse to submit to urinalysis or breath analysis on request,
28. Not deliberately damage, lose, or destroy state property or the property of another,
29. Not commit forgery, embezzlement, or theft,
30. Not have unauthorized possession of any tools or materials,
31. Not be in the possession of any weapon,
32. Not be involved in gambling, loan sharking, or extortion,
33. Not resist arrest or required movement or refuse a direct order,
34. Not interfere with an investigation, make false statements, or provide false identification,
35. Not use any disguise, mask, or be in possession of any correctional staff members, volunteer's, or private citizen's clothing or any part of any official uniform,
36. Not violate any contract, community release agreement, classification, or any other agreement involving community release,
37. Not adulterate or alter any food or drink,

38. Not be in an area where drugs, intoxicants, or alcohol are being used,
39. Not fail to take medications as prescribed, or fail to turn in prescribed medications, or have unauthorized possession of prescribed medications,
40. Not manipulate housing assignment by use of violent, threatening, or disruptive behavior,

Lay Down Siren

When there is a disturbance a siren will sound. If you are in an area and you hear the siren you are to immediately lay on the ground face down with your fingers interlocked on your head. If you do not get down you will be perceived as a part of the disturbance and force will be used according to the use of force policy. Once you are on the ground you will wait for commands from responding Officers

CELL STANDARDS

All inmates are responsible for keeping their living quarters clean. The day shift sergeant may conduct, or designate another officer to conduct, a daily inspection beginning about 9:00 a.m. Negative C-notes can be issued for areas that do not meet standards. Continual negative C-notes will result in disciplinary proceedings. All inmates will be out of bed and beds will be made no later than 8:00 a.m unless you have a medical lay-in or you are a graveyard shift worker.

1. **Bed:** Will be made prior to inspection. Inmates will not be on or in bed during inspection. All bedding will be tucked in and the blanket will be on the bed. Blankets shall not hang over the edge of the bunk obstructing the view of the officer. There will be nothing stored on the unoccupied bunk at any time. Bedding shall not be used as curtains, rugs, or for any purpose other than its intent.

2. **Desk:** Cleaned and dusted daily. Nothing attached to the desk; no plants of any kind allowed. The desk shall not be cluttered or messy.
3. **Floor:** Mopped daily concentrating on corners and toilet area. Not to be cluttered with clothes or anything else.
4. **Light:** No light covers are allowed. No coloring of the light bulbs. Light should be in place and secure. Nothing shall be hung from the light fixture.
5. **Toilet:** Cleaned daily inside and out. No Toilet seat covers are allowed. No water line or ring shall be allowed on the inside of the toilet
6. **Mirror:** Shall be cleaned daily. Nothing is to be attached to the mirror, including personal mirrors.
7. **Sink:** Shall be cleaned daily inside and out. No soap residue shall be present on the inside or outside of the sink.
8. **Walls:** Nothing shall be attached to the wall in any way except in bulletin board areas. Walls will be painted one solid color that is approved by the captain. Bulletin boards will be of a uniform size and placement.
9. **Window:** Shall be cleaned daily. Report any broken windows to the officer on duty. Nothing is allowed to cover or obstruct the view out of the window.
10. **Window Sill:** Shall be cleaned or dusted on a daily basis. Nothing will be stored on the windowsill.
11. **Trash Can:** Shall be emptied on a daily basis.
12. **Clotheslines:** NOT allowed!
13. **Locker Box:** If available, must be kept in the designated area.
14. **Air Vent:** Nothing will be attached to or cover the air vent.
15. **Cell Bars:** Nothing will be attached to the bars.

CHAIN OF COMMAND (ADMINISTRATION STRUCTURE)

The line of administration/chain of command shall be in a progressive line of increasing authority.

1. Officer
2. Sergeant
3. Lieutenant
4. Captain
5. Shift Commander (after hours)
6. Deputy Warden
7. Associate Warden
8. Warden

COUNT

Whenever a count is announced, all inmates are expected to be in their assigned housing area. Any inmate not in their assigned housing area during a count may be subject to disciplinary action. Officers are expected to see skin and will order inmates to position themselves where the officer can clearly see the inmates he or she is counting. A stand-up count is required at least once a day. During this count the officers will require the inmate to stand up in order to be clearly recognized. Count times are as follows:

0000

0100

0200

0300

0400

0500

1130

1630

2100 (stand-up count)

2230

An emergency count may be called at any time. If an inmate fails to be in his or her assigned area, he or she may be subject to disciplinary action.

“Rack in” may be called at any time for reasons of safety, security, control, or management needs. Inmates report directly to their assigned housing unit. During counts the cell doors will be closed and locked.

URINE COLLECTION AND TESTING

Inmates are routinely tested for unauthorized substances. Staff may request a urine sample at any time. Failure of the inmate to produce one will result in disciplinary action.

Staff of the same sex as the inmate will observe urine sample collection. It shall be the inmate’s responsibility to provide a sample within two hours from the time of the request.

If the inmate refuses or is unable to produce the requested sample within the given time frame, a disciplinary report will be issued to the inmate for failure to provide a urine sample.

Inmates testing positive will be subjected to disciplinary actions. Inmates guilty of substance abuse may also be subjected to other administrative sanctions such as loss of privileges.

DISCIPLINARY PROCEDURES AND SANCTIONS

The Inmate Disciplinary System was established to promote safety and order within the institution. The entire disciplinary policies and procedures are located in the Inmate Reference Manual in every housing unit. Inmates may check out the policy to learn the complete process. The following is only a summary of the process.

MAJOR DISCIPLINARY

A major infraction includes acts of misconduct for which a serious or grievous loss can be imposed as punishment. A major disciplinary requires a due process hearing

DUE PROCESS

Due process in an administrative disciplinary hearing affords the inmate with the following rights:

1. To be present for the hearing (though in some circumstances a hearing *in absentia* can be done),
2. To have written notice of charges 24 hours before the hearing,
3. To present a defense of the allegations verbally, written, and/or by requesting witnesses (inmates have no Constitutional right to confront or cross-examine witnesses),
4. Witnesses may be dismissed for several reasons during the hearing, refer to Inmate Disciplinary Policy and Procedures for details,
5. Inmates do not have a right in the disciplinary hearing to refuse to answer questions; the Inmate Disciplinary Hearing Officer may make an adverse inference towards an assumption if the inmate refuses to answer a question,
6. To receive written findings of the hearing, and
7. To appeal the findings of the hearing.

APPEAL

Major disciplinary convictions and sanctions may be appealed to The Department of Prison Operations Administrative Hearing Officer based only on one or more of the following factors:

1. Disciplinary procedures were not properly followed,
2. There was not at least some evidence to support the disciplinary findings, or
3. The disciplinary sanction was clearly arbitrary or capricious or was unreasonably harsh or unreasonably light.

Appeal forms may be obtained from the DHO (hearing officer) or from the housing unit.

DISCIPLINARY SANCTIONS

After a guilty finding the DHO has a choice whether to fine, restrict privileges, place specific expectations, give punitive isolation, or impose

a combination of the above. Fines will be taken from the inmates account as funds are placed into it.

FINES AND RESTITUTIONS

Fines are sanctions intended to discourage misconduct by requiring the inmate to pay an additional cost for the misconduct. Restitution is the sanction to pay for the cost of administration to deal with the misconduct in which the inmate deliberately engaged.

PUNITIVE ISOLATION

While in punitive isolation an inmate is sequestered in his or her cell. The inmate may be subject to the following limitations:

1. No phone calls,
2. No visiting except legal,
3. No recreation,
4. Out-of-cell time every Monday, Wednesday, Friday for a period of 15 minutes;
5. Mail, meals, medical, and laundry will be delivered to the inmate in his or her cell,
6. Commissary is limited to hygiene items and envelopes, and
7. Religious counseling is in the cell, school and work attendance is suspended.

INMATE MANUAL FOR POLICIES & PROCEDURES

All inmates are required to follow institutional policies and procedures along with rules and regulations. Failure to do so may result in a “Negative C-note” or a disciplinary report.

Every housing unit should have a set of selected complete Policies and Procedures chapters for inmates to check out. Some of these chapters are: Classification, Disciplinary, Grievances, Mail, Property, Commissary, and Legal Access. If you are unclear about any policies, procedures, rules, or regulations, it is *your* responsibility to contact staff members of your assigned facility to clarify any questions you may have.

DNA TESTING

The Utah legislature has passed a law requiring all convicted felons to submit to DNA testing. It has mandated the cost of the test to be \$100.00, which will be charged to the individual being tested. This means any money collected will be by AP&P, and/or the county jail where the DNA sample was taken. If a second test is needed you will be charged only once.

Keep in mind that this is Utah Law. The Department of Prison Operations is merely tasked with enforcing this mandate.

EDUCATION—SCHOOL/COMMUNITY

Those wishing to gain a High School diploma will need to apply for the High School program through Jordan School District. College courses are available to those who qualify at Level 3 or above. A High School diploma or G.E.D. may be required before attending college.

Community Education classes are taught by volunteers. A wide variety of classes are offered. These classes will be without credit toward graduation and are intended to enhance the inmate's life skills and to allow the inmate to develop his or her talents in many areas.

EMERGENCY (WEATHER RELATED)

In case of emergency actions for a fire or natural disaster, instructions to rack in or evacuate will be paged over the loud speakers. Evacuation plans and routes are posted on the housing area bulletin boards.

GRIEVANCES

A grievance is a written inmate complaint within the jurisdiction of the Department alleging personal injury, loss, or harm caused by the application or omission of a policy or practice, a member or inmate action, or an incident.

Inmates have the responsibility to provide all currently known facts and information regarding a complaint.

All grievances must be filed on an individual basis by the respective inmate identifying the specific nature of the grievance.

Inmates may file grievances regardless of status or classification. The inmate grievance process is designed to resolve issues at the lowest administrative level. As such, every effort should be made to resolve the grievance at the lowest possible level.

In general, all inmate complaints may be grieved except complaints against decisions and procedures of the Board of Pardons, disciplinary decisions, GRAMA decisions, or classification decisions.

A malicious or frivolous grievance may subject an inmate to criminal, civil, or disciplinary action including assessment of restitution for incurred investigative costs. A “malicious grievance” is any grievance where the inmate willfully falsifies information with the intent to annoy, slander, or injure a member of the Department or any other person. A “frivolous grievance” is any grievance that the inmate knows or should have known is without merit, irresponsible, or has no rational basis in fact or law.

There are three levels of the grievance process:

Level One, Informal

The inmate completes the first section of the grievance within 7 calendar days of knowing that a grievance exists. The inmate places the original form in a grievance envelope addressed to the appropriate Level One DTO (i.e. housing unit, medical unit, support services, etc.) and places it in the facility mail drop. The responsible facility or bureau has 21 calendar days to respond and attempt to resolve the grievance.

If the grievance is not resolved at this level, the inmate may respond in writing on the original form via the facility mail system to the Level One DTO within five calendar days regarding why the grievance is not resolved. The Level One DTO will forward it to the grievance coordinator at Level Two.

INMATE PLACEMENT PROGRAM

County Jails—IPP

IPP places inmates under contract in 21 county jails statewide. While in a county jail, the inmate is bound by the policies and rules of that jail. IPP Sergeants are in the jail weekly if not daily to see state inmates. Most male inmates are screened for county jail placement at R&O. County jails offer education, programming/classes and work opportunities.

Interstate Compassionate Transfers

An inmate may apply for an Interstate Corrections Compact Transfer, prison to prison. Per policy the inmate is responsible for round trip costs. See your caseworker for the application and the policy.

International Transfer

Per federal treaty and state law, any inmate may apply to return to his or her home country in which he or she is a citizen. See your caseworker for a list of participating countries and the requirements involved.

LEGAL ACCESS

The complete Policies and Procedures of Inmate Legal Access are available from the Inmate Reference Manual located on each housing

unit. It is available for all inmates to read and follow. The policy includes procedures for legal mail, telephone access, visiting access, and possession, transferring, and duplication of legal materials.

Inmates are provided with two plastic pouches. These pouches are provided as a secure place to keep legal documents. One is labeled "Privileged" and the other is labeled "Public". These pouches are for the two types of legal documents privileged and Public. Privileged documents are letters to or from your attorney and any other documents which could compromise your case. Items in this pouch may be inspected but not read by staff. Public documents are discovery responses, court rulings, etc. These items may be inspected and read by staff.

All inmates will have access to legal counsel.

1. Inmates shall be provided reasonable access to courts and legal counsel. Contract Attorneys paid for by the Department shall provide the primary means of access to legal services.
2. Inmates may seek legal counsel at their own expense if they prefer not to use a contracted legal firm or they may represent themselves.
3. Inmates may request public interest groups such as the ACLU, Legal Aid Society, Salt Lake County Bar, Legal Services, etc., to represent them. Inmates may represent themselves but not other inmates.
4. Visits between inmates and legal counsel will not be monitored and shall occur in areas, which permit maximum privacy. However, privacy requirements shall not prohibit visual observation nor jeopardize security in any way.
5. Each facility utilizes a specific procedure for attorney appointments. It is the inmate's responsibility to comply with this procedure.
6. Inmates charging a fee or attempting to receive payment for providing legal assistance to other inmates shall be subject to major disciplinary action.
7. The Department shall provide copies of non-confidential documents to non-indigent inmates at a specified price per sheet.

8. There are specified procedures for copying legal papers for inmates who are indigent vs. non-indigent. Upon the inmate's arrival at his or her assigned facility, it shall be his or her responsibility to become familiar with and observe the procedures regarding the copying of legal papers.
9. Inmates shall be permitted to make collect telephone calls to their attorneys/representatives, which shall originate from inmate telephones located in their assigned housing unit.
10. Attorneys/representatives may leave telephone messages requesting the inmate to return a call.
11. Prison staff shall not monitor calls between inmates and attorneys/representatives.
12. Inmates calling their attorney/representative collect are responsible to notify staff that they are placing a call to their attorney/representative to avoid being monitored. Staff may monitor the call long enough to verify it is a legal call.
13. Staff can have inmates sign a **Legal Release Authorization** form if they feel it is appropriate when staff have the inmate in their office accommodating a legal/media call.
14. Visits and telephone calls with the attorney or representative may be cancelled due to any emergency situation.
15. As of February 2007, inmates can no longer file 120-day dispositions while incarcerated at USP.
16. Inmates can receive legal/oral argument CD, the CD will be burned and sent in through property for the inmates use. (**Public Legal Audio CD Receipt** will be attached to email)

Requesting Legal Assistance

Obtain and fill out an Attorney Request form, put it in an envelope marked "Legal Correspondence," and place it in the mailbox. Your attorney will then be placed on the prison's attorney list.

If you need papers notarized, contact a staff member assigned to your unit to make an appointment. If you are required to make a "legal call"

(to your attorney), contact your caseworker by completing and submitting a request to make a legal call to set up an appointment.

Contract Attorneys

The Department of Prison Operations provides limited legal services and access to the courts through contract attorneys.

The contract attorneys assist inmates with initial pleadings for meritorious claims regarding conditions of confinement and post conviction challenges, through 1983 Civil Right Complaints, 65B Petitions for Extraordinary Relief, for conditions while in Utah State Custody and housed at state or county jails, and 65C Petitions for Post Conviction Relief with Utah Jurisdiction.

The Contract Attorneys' legal services include the following:

1. Visit with offenders, upon offenders request,
1. Assist inmates in matters that are either grounded in fact and supported by legal arguments that are warranted by existing law, or contain good faith argument for the extension, modification or reversal of existing law,
3. Photocopy legal materials upon proper requests,
4. Transfer inmate-to-inmate Legal Mail upon review for only legal content,
5. Screen offenders' claims for meritorious legal content, upon request.
6. Conduct the amount of legal research, if appropriate, to support offenders' claims with legal merit that the contract attorneys are assisting the offender draft,
7. Assist inmates in drafting pleadings setting forth inmate legal claim having legal merit.
 1. Assist inmates in securing case law and other authority relevant to pending legal actions being handled by the contract attorneys, if necessary,
9. Assist inmates in filing initial pleadings, by copying, addressing, franking and posting inmate's pleadings to the courts.

10. Assist inmates housed at the UDC facility with actions where the Board of Pardons has denied parole in a manner that violates rights secured under the U.S. Constitution or the Utah Constitution.

Getting a Legal Phone Call

IMPORTANT! A legal call must be initiated by your lawyer or lawyer's office. *Your case manager cannot initiate it!*

1. Your lawyer must call the Warden's office to request a legal conference call. The lawyer/lawyer's office should call the Warden's office at **576-7450**.
2. The Warden's office staff will give your lawyer the information needed to have the legal call approved.
3. If/when it is approved, your case manager will receive notification from the Warden's office that it is approved and then set up a time with your lawyer to make the call with you.
4. You will be notified by your case manager when approval is granted so you know the date/time you will be called in to have the legal call.
5. If you are requesting a legal call with your lawyer, you need to write the Warden's office for approval. The Warden's office will need to verify attorney of record information.

MAIL

Mail call shall be held Monday through Friday, except holidays, in each facility. In some housing units a mail list will be posted. Inmates must have their I.D. card to receive mail. If the inmate fails to pick up his or her mail at this time, it will be returned to the Mail Department.

Inmate mail shall be handled in accordance with U.S. Postal Service regulations insofar as safety, security, or operational requirements of the Utah State Prison are met. Outgoing mail is picked up Monday through Friday, except holidays, from the mailbox located in the various housing units.

There is no limit to the number of letters an inmate may send as long as there are funds in the inmate's individual account to cover the postage.

If an inmate does not have sufficient funds (not more than \$9.00 in his or her account during the previous 45 days), he or she may qualify for free mailing privileges, otherwise known as indigent mail status. Free mailing privileges allow an inmate to send one First Class letter per week. An inmate may not save free mailing credits or let other inmates use their credits.

All inmates' mail and correspondence must contain his or her name, offender number, and housing information in the top left hand corner. Envelopes must contain the institution's return address as follows:

Inmate's full Name and Offender Number
Inmate's Housing facility
P.O. Box 250
Draper, Utah 84020

Personal Property

The property officer will distribute personal property on the unit. Property not authorized to be in the inmate's possession will be regarded as contraband. Such property will be confiscated and a write-up may be issued. Personal property is subject to the following conditions:

1. All personal property shall be obtained through authorized channels,
2. The inmate shall retain in his or her possession an authorization or property receipt for any personal property item in his or her possession,
3. Inmates shall obey the inmate's code of conduct regarding property,
4. An inmate's personal property is subject to the facility rules and regulations which dictate the type and amount of personal property allowed,
5. The alteration of any personal property from its original state or condition is prohibited,

6. Altered property shall be considered contraband and is subject to confiscation;
7. The state shall not be liable for damage, destruction, or loss of personal property in the possession of another inmate,
8. The state may assume limited liability for damage, destruction, or loss of inmate personal property when that property is in the possession of the state.
9. Books purchased or from free sources are not allowed in Uinta 5 (R&O). You will have to wait until main population to receive books. Religious books are from the Chaplain only.

If an inmate is moved to a housing unit which disallows any or of all of his or her personal property, that property shall be placed in the property room and the inmate shall have a specified time limit in which to dispose of the property. Failure to do so shall result in the property being disposed of by the state. For more detailed information regarding property, refer to the Department's policies and procedures from the Inmate Reference Manual.

The property schedule is available on each housing unit. This schedule identifies the days you will be issued property and the days, hours, and location at which property can be left for you.

If an inmate has visitors who are bringing in personal property for him or her, it should be left at the property office based on the posted schedule. Approved property will then be forwarded to the inmate along with a personal property slip.

INMATE ACCOUNTS / FUNDS

Inmates are prohibited from receiving currency or personal checks directly. When currency or personal checks are received, they will be returned to the sender. Funds are accepted in the form of a cashier's check or money order only.

Funds can be mailed to:

| |
|--|
| Utah State Prison C/O Inmate Accounting Inmate Name and Offender Number PO Box 250 Draper, Utah 84020 |
|--|

The sender's name and address must be written on the top-left corner of the envelope.

Inmates may also receive money via the telephone and the internet. Families may use their credit cards for these two services.

Toll Free Phone Deposits
1-866-345-1884
(\$6.95 per transaction)

OR Internet Deposit
www.inmatedeposits.com
(\$5.95 per transaction)

A KIOSK is available in the Visitor's Control Center (VCC) at Draper. At CUCF it is located inside the lobby of the Administration Building. The KIOSK is accessible during regular business hours. THE KIOSK DOES NOT ACCEPT CHECKS OR MONEY ORDERS! The KIOSK will accept Debit or Credit Cards (\$5.95 per transaction) or will take cash (\$4.00 per transaction); no coins or \$1 bills accepted, only \$5 bills and larger will be accepted. Funds will not be accepted at Inmate Accounting.

Funds may also be deposited to an inmate's account through inmate employment. Payroll funds are deposited once a month for the previous month worked.

Money may be removed from an inmate's account for the following reasons:

1. Court-ordered garnishments,
2. Assessments from the Office of Recovery Services (child support),
3. Inmate disciplinary fines or restitution,
4. Medical co-pays and prescriptions, and/or
5. Court filing fees.

MONEY TRANSFERS

Inmates will use money transfers for all financial transactions, to purchase commissary, send money home to their family or friends, etc.

1. A money transfer properly completed by the inmate and signed by the appropriate staff member shall allow an inmate to carry out appropriate business transactions while at the institution.
2. Money transfers are available in each housing unit. The inmate shall be informed by staff members of the appropriate method and day to forward the money transfer to the accounting office. Money transfers may be turned in daily and are taken to the business office once a week by the Unit Manager or designee.
3. The inmate may request assistance from staff members when completing information required by these forms.
4. If the money transfer is not properly completed and signed by staff it shall be rejected by the accounting office.
5. All inmate signatures must be witnessed by appropriate staff members. Therefore, do not sign your money transfer until you are in the presence of the appropriate staff member.
6. Any Money Transfer for \$200 or more needs to be signed by the housing unit Captain.
7. Money transfers are not to be returned to an inmate after having been witnessed by a staff member.
8. Stop payments initiated by inmates for money transfers are prohibited. You may initiate a stop payment of a check being sent by the business office at a cost of \$10.00.

COMMISSARY

To order items from commissary, a commissary bubble sheet must be completely filled out (for example, inmate number and zeros in quantity need to be filled in) and turned in to the unit officer. These bubble sheets are located on the housing unit. Commissary orders may be submitted once per week and orders will be delivered to housing units once per week. Inmates will be informed of their housing unit schedule for submitting orders and order delivery. Commissary will be distributed to inmates in accordance with housing unit activities.

1. Commissary is a privilege, not a right. This privilege may be lost as a result of disciplinary action or TRO status.
2. Commissary will provide a list of items twice a year. Inmates can purchase additional price lists if needed.
3. Commissary orders will be refused if the inmate's financial account has insufficient funds, their account has been frozen, or their bubble sheet is filled out incorrectly.
4. Only one bubble sheet will be accepted per inmate.
5. Commissary items shall be limited according to the classification status of the inmate.

Time frames for the ordering and delivering of commissary may vary according to housing unit assignment.

An inmate may maintain in his or her possession commissary items that are not identified on the approved property list if:

1. Proof of purchase is provided,
2. The items are on the inmate's approved commissary list for the facility, and
3. The quantity of commissary items is not in excess of the facility's property matrix.

Inmates are required to present their identification card and provide a signature when receiving commissary orders.

The inmate's commissary bubble sheet is to include the inmate's entire name, offender number, and cell number including top or bottom bunk.

Failure to follow these procedures will result in non-delivery of their commissary for that week. Commissary strongly suggests that inmates keep their yellow copy of the bubble sheets to reconcile any problems or discrepancies. Once an inmate leaves the presence of supervising staff, no credits will be issued and sales will be final.

Some items require a pre-approved property contract before ordering, e.g. crochet needles and some electronics. Refer to commissary lists for instructions. It is the inmate's responsibility to check their commissary purchase at the time of delivery in front of staff to ensure that the order was filled correctly and that all items are accounted for.

INDIGENT STATUS

The business office determines indigent status. An inmate who has not had over nine dollars in his or her inmate account for 45 consecutive days may be eligible for indigent status.

Indigent status shall include mail privileges, personal hygiene items (e.g. a toothbrush every 90 days, toothpaste, soap, a small comb, and 1 disposable razor every week), duplication of legal papers (25 copies per week), I.D. cards (inmates on indigent status shall NOT be required to pay the \$5.00 replacement fee for a new I.D. card if theirs is lost or stolen), information from USP records, and writing materials.

Indigent Mail

1. Inmates approved for indigent mail may receive a maximum one First Class, one-ounce envelopes or equivalent per week. A one-ounce First Class letter consists of one envelope and five 8 ½" x 11" sheets of paper.
2. Inmates who do not use their weekly postage allocation shall not be allowed to carry it over to the following week.

3. Housing units shall issue writing paper, envelopes, pencils, and institutional pens to the inmates.
4. Postage shall be placed on envelopes at the mail unit upon receipt.
An inmate requiring additional postage on privileged correspondence shall have a Request for Additional Privileged Mail Postage form attached to the correspondence containing the court/attorney, the case number, and an explanation for why additional postage is required.
5. Authorization shall take place within seven days. However, initial authorization may be for less than seven days to allow for a common accounting period (the first day of each month).
6. Misuse or abuse of indigent status shall subject the inmate to disciplinary action.
7. An inmate who qualifies for indigent status shall request the approved items as needed as per indigent status. For further information, refer to the Indigent Policy.

HEALTH CARE

MEDICAL AND DENTAL

Utah State Prison inmates have access to reasonable health care services through the Medical Unit. Some of the services provided are: Sick call,

dental services, mental health, optometry, pharmacy, and referral services. If an inmate has a need for one of these services, appointments with the medical staff may be arranged by filling out a health care request form and placing it in the box provided on each housing unit. Urgent or emergency care should be requested through the floor officer.

Medical staff are on duty 24 hours a day, 7 days a week. Medical personnel are typically available in the housing area twice a day during “pill line.” Inmates will receive medication and other medical services during pill line or as directed by the staff.

Pill Line

Inmates receive their medication during two (2) regularly scheduled pill lines; one in the morning and one in the evening.

Sick Call

The inmate requests medical, mental health, optical, and dental appointments. Inmates may obtain a health care request form from the housing unit officer. The completed form (with a description of the complaint/need) is put in the medical drop box or handed to a medical staff at pill line. Medical staff reviews the forms and make appointments. Medical staff then notifies the inmate when his or her appointment is scheduled.

Fees will be charged for inmate-initiated medical services. An inmate shall not be denied medical treatment if unable to pay the co-payment because of inadequate financial resources. Charges will be assessed for all inmate-initiated health care visits including dental, medical, optometry, etc. Emergencies will be billed at the same amount. Restitution may be charged for self-inflicted injuries or injuries inflicted by another. Charges for sick call, prescription dispensing fee, prosthetics, dentures, special shoes, hearing aids, glasses, and other charges may be made as per legislative rule, intent, or according to Department of Prison Operations decision.

HEALTH CARE – MENTAL HEALTH

Inmates may have access to Mental Health by filling out a health care request form and depositing the form in the sick call box. Inmates may also be referred to Mental Health by a caseworker or housing unit manager.

Psychological and psychiatric services are available through Medical Services. A Psychologist or Psychiatrist assigned to the Utah State Prison may be used as a resource. They may provide services and counsel inmates as the need arises and in cooperation with unit managers and case workers. Any inmate housed at the Utah State Prison may be referred to psychological or psychiatric services as well as other resource areas.

HEALTH CARE CHARGES AND FEES

These charges apply to all inmates regardless of Interstate Compact/Federal status.

\$5.00 co-pay for each Doctor, Physician Assistant, Optometrist, and Dentist visit. This charge is also assessed if you are being seen for on-going health care problems – if you submit a request to be seen understand that there will be a charge for that visit. If the Medical staff requests and schedules you to be seen, there will be no charge. However, when Dental staff schedule necessary follow up visits you will be charged for each visit.

\$2.00 co-pay dispensing fee per 30-day or less supply of medications - ALL MEDICATIONS are assessed the dispensing fee regardless if it's for medical, mental health, dental, etc.

There is no co-pay for Health Care Requests submitted for Medical, Mental Health, Optical, Dental, etc.

\$0.00 co-pay for Mental Health Therapist, Psychiatrist, or Psychologist - there is no charge to see mental health staff.

10% of bills for all outside care provided. Your maximum co-pay for outside care will be \$2,000.00 per fiscal year (July - June).

Outside care is anything done by non-UDC staff. This includes all appointments, surgeries, tests, X-rays, etc. done at UMC and/or Gunnison Valley or at any other outside facility or by any non-UDC staff. Hospital departments bill us separately (doctor's fees, lab fees, x-ray fees, etc.).

\$5 monthly rental fee on all equipment rented to you with a value over \$100 (wheelchairs, O₂ concentrators, C-pap machines, etc.).

\$5 one-time fee on all equipment rented to you with a value of under \$100 (crutches, walkers, etc.).

Medical supplies and equipment that are purchased for you, and becomes your property, will continue to be charged at the rate of 50% of our cost for these items. The 50% charge for medical supplies will include all supplies medical purchases for your use; hearing aid batteries, colostomy/etc. supplies, tracheotomy supplies, etc.

Also, all equipment that is loaned to the inmate becomes the inmate's responsibility. Equipment needs to be maintained and not abused or destroyed. Any unreasonable repair cost and/or replacement cost of this equipment will be the responsibility of the inmate.

50% of the cost for glasses. However, you will be charged 100% of any extra such as tints, frames, etc. and your payment must be received prior to ordering. **There is a limit of one pair of glasses ordered per patient every two years.

Inmates are responsible for 100% of the costs related to dentures or partial plates. In addition, only one set or partial denture will be ordered per patient every **10** years.

50% of the cost for any medical supplies – shoes, pillows, braces, prosthetics, etc.

Below is a list that may be helpful to give you an estimate on what some of the costs may be for you. Remember, this is only an estimate - we can not exactly predict all the services that the outside providers may feel are necessary when you are being seen so we cannot give you exact costs

| | |
|--|----------------------------------|
| Anesthesiology - \$6 - \$45 | Cardiology visit - \$35 - \$100 |
| CT - \$28 - \$100 | Derm visit - \$20 - \$50 |
| Dialysis - \$15 - \$60 | EKG - \$15 - \$80 |
| EMG - \$20 - \$80 | ENT - \$6 - \$80 |
| ER Services - \$40 - \$700 (depends on procedures) | Gastroenterology - \$10 - \$80 |
| GI procedures - \$20 - \$40 | GI clinic - \$20 - \$70 |
| Hematology/Oncology - \$15 - \$30 | Huntsman visit - \$40 - \$100 |
| ICU - \$50 - \$300 (daily cost) | Infectious Disease - \$15 - \$75 |
| In Patient stay - \$250-\$2000 (depends on length of stay) | |
| Infusion - \$300 - \$450 | Lab work - \$20 - \$50 |
| Mammogram - \$30 - \$200 | Moran eye visit - \$30 - \$270 |
| MRI - \$50 - \$300 | Neurology - \$15 - \$35 |
| Neuro Surgery clinic - \$20 - \$100 | Nuclear Medicine - \$50 - \$100 |
| Nephrology - \$6 - \$20 | OBGYN - \$20 - \$100 |
| Ortho - \$20 - \$75 | Oral Surgery - \$25 - \$200 |
| Pathology - \$7 - \$40 | Plastics - \$45 - \$70 |
| Podiatry - \$3 - \$7 | Pulmonary - \$2 - \$5 |
| Radiology \$4 - \$20 | Surgery - \$100 - \$2000 |
| Surgery visit - \$8 - 100 | Ultrasound - \$15- \$80 |
| Urology - \$10 - \$90 | Vascular - \$20 - \$75 |
| X-Ray - \$3 - \$10 | Ambulance - \$50 - \$200 |

**NO MEDICAL, DENTAL OR MENTAL HEALTH VISIT,
PROCEDURE OR SUPPLIES WILL BE DENIED DUE TO LACK
OF FUNDS.**

VISITING

Inmates are eligible for visiting based on their privilege level matrix and the institution's policies and procedures. As a general rule, the information contained in this handbook regarding visiting shall apply to all areas.

1. Visitation is a privilege, not a right, afforded to inmates/visitors at the Utah State Prison,
2. Visitation may be approved, cancelled, and or otherwise restricted when necessary to preserve the safety and security of the institution,
3. Inmates shall comply with all applicable prison rules while visiting. Failure to do so may result in termination of the visit and possible disciplinary action,
4. When processing through the Reception and Orientation unit, inmates may start the process of having their potential visitors submit visiting applications. Visiting request forms may be obtained from the housing unit staff.
5. Inmates who return to the prison shall be required to provide a new visiting list prior to receiving any visits.
6. Visits may be denied if a prospective visitor has an extensive and/or recent history of criminal activity.
7. Visitors who receive the Visiting Request Form should complete the portion of the visiting application marked "Visitor's Section".
 1. The visitor shall attach the appropriate person documentation, as described on the back of the application form, or as specified by Visiting Staff.
 1. A visitor's name shall be on an approved visiting list before visits shall be permitted.

1. The inmate shall be notified regarding approval/denial of the visiting application. It is the responsibility of the inmate to notify his or her visitors about the decision,

1. Inmates and the escorting adult visitor are responsible for the behavior of visiting children.

1. All minor visitors shall be accompanied by their parent or legal guardian. Only a member of the child's immediate family is allowed to have a notarized statement to bring the child if the parent and/or legal guardian are unable to visit.

1. Visitors who have approval to be on more than one inmate's visiting list, shall only visit with one inmate per visiting session. The Warden/designee may make exceptions. Exceptions shall be in writing and approved on a case-by case basis.

12. An inmate may remove an individual from his list by filling out a Removal Request Form and forwarding it to visiting staff for processing.

13. Visitors removed from a visiting list may not be reinstated for a 90-day period without approval of the inmate's housing unit supervisor,

14. Inmate's wishing to appeal a visiting decision will need to write the Deputy Warden of Security.

15. Visitors attempting to introduce contraband onto prison property are subject to criminal prosecution.

1. Requests for special visits must be initiated by the inmate through the inmate's Case Manager.

1. A maximum number of five visitors, including minors, will be allowed to visit an inmate per visiting session.

1. Immediate family is generally defined as spouse, children, mother, father, brother, sister, grandmother, grandfather and grandchildren.

Stepchildren, mother-in-law, father-in-law, sister-in-law, brother-in-law, step-mother, step-father, step-brother, step-sister, half-brother and half-sister may be considered immediate family in some cases.

BOARD OF PARDONS

Hearings

The Board conducts personal appearance hearings in order to consider an inmate and sentence(s) for the first time, and may also use the hearing to consider whether an inmate's release is appropriate, and to review or determine an inmate's readiness for release. Inmates are scheduled for an original hearing according to the nature, severity and degree of offense and sentence for which the inmate was committed to prison, according to the following schedule:

Within six months of commitment to prison the Board will give notice of the month and year in which the inmate's original hearing will be conducted. Inmates who are sentenced to death or life without parole are not granted an original hearing.

The Board of Pardons has to complete a new hearing on inmates who have been given a release date but not released within 21 days due to being rescinded because of no approved address and no room at the CCC's. The Board of Pardons will now hear those inmates every Wednesday morning at 0830 hours.

When a sentence arises from a death (i.e. homicide, manslaughter, etc.), the Board will determine a month and year for the original hearing, pursuant to an administrative review conducted by the Board upon an inmate's commitment to the prison. The Board, in setting an original hearing in such cases, will consider the nature of the offense, the sentence(s) imposed; and any aggravating or mitigating circumstances known to or presented to the court at sentencing.

For all other cases, the following schedule applies:

1st Degree Felonies:

Greater than 15 Year Minimum: OH after 15 years incarceration.

10 – 15 Year Minimum: OH after 7 years incarceration.

Less than 10 Year Minimum: OH after 3 years incarceration.

2nd Degree Felony (sex offenses): OH after 18 months incarceration.

2nd Degree Felony (non-sex offense): OH after 6 months incarceration.

3rd Degree Felony (sex offense): OH after 12 months incarceration.

3rd Degree Felony (non-sex offense): OH after 3 months incarceration.

Class A Misdemeanors: OH after 3 months incarceration.

The Board will not deviate from this schedule of hearings except in extreme and rare circumstances, such as those involving the health of the offender, which would prevent holding the hearing as scheduled.

FOOD SERVICES—CULINARY

A balanced diet is served at the institution using food selected from the four basic food groups: Milk, meat, fruits, and vegetables/grains. A registered dietician prepares the menu. Food preparation is inspected and approved on a regular basis by the Salt Lake City/County Board of Health.

If you require a religious meal the following steps need to be followed:

1. The inmate must complete the Religious Meal Request Form and send it to Religious Services.
2. The Religious Meal Request Form is considered for sincerity.
3. The necessary standards for the religious request is researched and verified.
4. Religious Services sends a request to Food Services with a justification for the religious diet.
5. Food Services issues notification to the inmate of when the religious meal will begin.

RELIGIOUS SERVICES, COUNSELING, AND RELIGIOUS ITEMS

Inmates in the Utah State Prison will be allowed access to religious services, except when the inmate's behavior poses a safety threat to the religious counselor or others attending the religious service. Part-time chaplains facilitate inmates' religious needs.

Various religious services are available to the inmates: Non-Denominational Services, Catholic Services, LDS Services, LDS Institute, etc.

Services may be held each week in chapels or multipurpose areas. Level III, IV, and V inmates may attend scheduled religious services in the chapel. Segregated inmates may be refused the opportunity to attend regular services based on institutional security considerations.

Religious medallions or ornaments may be worn based on the inmate's classification and housing assignments. Inmates may obtain an item by requesting it through one of the chaplains. Inmates will also have access to religious writings unless such writings advocate actions that could present a clear and present danger to the security of the institution.

TELEPHONES

1. Telephone privileges are designed to supplement, not replace, regular correspondences,
2. The use of the telephone is a privilege which can be lost by misuse, abuse, and/or violation of rules and regulations,
3. Telephones are available for inmate use based on the individual facility's needs,
4. Personal telephone calls may be monitored and/or recorded. Calls are subject to termination if circumstances indicate that there is a threat to the order, discipline, or security of the facility,
5. Incoming telephone calls to inmates will not be accepted. However, in the event of an emergency situation, the facility staff will relay a message to that particular inmate upon verification of the emergency,

6. Use of any telephone not specifically designated for inmate use is prohibited;
7. Credit card calls and third party billings are prohibited,
8. Phone conversations shall be in English unless prior authorization has been obtained from the inmate's housing unit administration,
9. Inmate calls to attorneys shall not be monitored. Steps may be taken on the part of staff to verify that the call is, in fact, to an attorney. Calls to attorneys should be arranged through staff on telephones that are not monitored or recorded,
10. Inmates shall not engage in threatening, harassing, foul, or abusive calls,
11. Inmates shall not misuse the telephone or telephone equipment,
12. In emergency situations, an inmate shall be required to terminate his or her telephone conversation at once and return to his or her assigned area,
13. Inmates will be limited to 10 personal/social phone numbers on their approved calling list;
14. Inmates must have their voiceprints completed before a phone call can be placed,
15. For additional information on the use of telephones, inmates should contact their housing unit administrator.
16. For each inmate who requests a new phone number in **R&O**, Inmate Phones will verify the phone numbers through the White Pages. If the phone number comes up unpublished or if the name or address do not match, they will send the request form back to the inmate. The inmate will need to get a copy of the phone bill from the person they are trying to call. When the inmate receives the copy, he needs to send it to the Inmate Phones. When the inmate gets to permanent housing the procedures will change, and the request will need to go through the housing unit CHS.
17. If you receive a letter from a company called Direct Prison Connection, Cons Call Home, Inmate Calling Solutions, for your family to set up an account do not use these companies. They will not work on our system. V-Connect is the only company USP uses for phone calls.

Cell Phones

1. All cell phone numbers must be submitted with a copy of the cell phone bill showing the name, address, and cell phone number – the cover page should be attached to an inmate telephone request form.
2. All request forms must go to the CHS. Any requests sent to Inmate Phones will be denied without a CHS signature.
3. Copies of the phone bill will not be returned.
4. No pay as you go cell phones or throw away phones will be allowed (it must be a cell phone provider)
5. All cell phones need to set up an account with V-Connect in order to receive collect calls from this facility.

AP&P Transition Team

AP&P has transition agents at each state correctional facility.

1. They will make contact with you when you are within four months of your release date. They will assist you in getting your requested address approved by the field agents.
2. Please have complete address and contact information ready for them
3. They can also assist you in getting several forms of support set up for your release. If you qualify, they can assist you with Treatment Resource Centers, Parole Access to Recovery, Vivitrol funding, Drug Offender Reformation Act funding, Social Security/Disability, Medicaid, Veteran's Affairs benefits, a Utah birth certificate, employment assistance and other resources
4. If you are housed in a county jail you will work through your programming sergeant to access the Transition Unit.