

Inmate Handbook

Shawnee County Department of Corrections Adult Detention Center



**501 S.E. 8th Avenue
Topeka, Kansas 66607**

March 2019

Shawnee County Department of Corrections

Vision Statement

Achieving excellence through integrity, dedication, and teamwork.

Mission Statement

The Shawnee County Department of Corrections shall operate as a model correctional facility while providing the highest level of safety and security for the employees, inmates, and the community.

Table of Contents

| <u>Table of Contents</u> | |
|---|----|
| Introduction | 1 |
| Inmate Rights and Responsibilities | 1 |
| Initial Processing | 3 |
| Bonds..... | 3 |
| Booking and Processing Fee..... | 4 |
| Court Appearances..... | 4 |
| Intake..... | 4 |
| Classification..... | 5 |
| General Rules | 6 |
| Smoking..... | 6 |
| Inmate Clothing and Appearance..... | 6 |
| Identification Wristbands..... | 6 |
| Linens Issue..... | 7 |
| Clothing/Laundry Exchange..... | 7 |
| Personal Property..... | 7 |
| Shawnee County Corrections Annex | 7 |
| Court..... | 7 |
| Inmates Awaiting Transfer to a State Correctional Facility..... | 8 |
| Inmate Account Fund..... | 8 |
| Incoming Funds..... | 8 |
| Outgoing Funds..... | 9 |
| Indigent Status..... | 9 |
| Garnishment..... | 10 |
| Notary Public Services..... | 10 |
| Copies of Documents..... | 10 |
| Commissary..... | 10 |
| Inmate Tablets..... | 11 |
| Communication..... | 11 |
| Telephone..... | 11 |
| Telephone Rules..... | 12 |
| Mail..... | 12 |
| Outgoing Mail..... | 13 |
| Incoming Mail..... | 14 |
| Inmate Voting..... | 14 |
| Letters and Photographs/Pictures/Cards..... | 14 |
| Legal Mail..... | 15 |
| Newspapers and Publications..... | 15 |
| Packages..... | 16 |
| Communication with Staff | 16 |
| Visitation..... | 17 |
| Professional Visits..... | 17 |
| Public Visits..... | 17 |
| Immigration and Customs Enforcement Pro Bono Legal Services.. | 18 |
| Meals/Special Diets..... | 18 |
| Medical Services..... | 19 |

Table of Contents

| | |
|---|-----------|
| Religious Services..... | 20 |
| Bible Study..... | 20 |
| Services..... | 21 |
| Religious Publications..... | 21 |
| Religious Symbols..... | 21 |
| Exercise and Recreation Opportunities..... | 21 |
| Gymnasium Privilege..... | 21 |
| Outdoor Court..... | 22 |
| Indoor Recreation..... | 22 |
| Entertainment..... | 22 |
| Dayroom Schedule..... | 22 |
| Personal Hygiene and Appearance..... | 23 |
| Personal Hygiene..... | 23 |
| Razors..... | 23 |
| Haircuts..... | 23 |
| Sanitation and Appearance of Your Cell..... | 24 |
| Other Rules for Cells..... | 24 |
| Cleaning Supplies..... | 25 |
| Programs..... | 25 |
| Mental Health..... | 25 |
| Module Aides..... | 26 |
| Facility Inmate Trusty Participants..... | 26 |
| Inmate Work Program..... | 27 |
| Library..... | 28 |
| Law Library/Legal Materials..... | 28 |
| Educational Programs..... | 29 |
| Substance Abuse Programs..... | 29 |
| Veterans Affairs..... | 29 |
| Marriage Requests..... | 29 |
| Out-of-Module Programs..... | 30 |
| Emergencies..... | 31 |
| Severe Weather..... | 31 |
| Fires..... | 31 |
| Other Emergencies..... | 31 |
| Detention Facility Security..... | 31 |
| Searches..... | 31 |
| Headcounts..... | 32 |
| Contraband..... | 32 |
| Inmate Drug and Alcohol Testing..... | 32 |
| Protective Custody..... | 33 |
| Sexual Abuse/Assault/Harassment..... | 33 |
| Officer Misconduct..... | 33 |
| Other General Rules..... | 34 |
| Cell Confinement..... | 35 |
| Cell Restriction..... | 35 |

Table of Contents

| | |
|---|-----------|
| Lockdown..... | 35 |
| Early Lockdown..... | 35 |
| Segregation..... | 35 |
| Administrative Segregation..... | 36 |
| Disciplinary Segregation..... | 36 |
| Behavior Management System..... | 36 |
| Expectations for BMS..... | 37 |
| BMS Level Advancement..... | 37 |
| Removal from Segregation Status..... | 37 |
| Rules of Segregation..... | 38 |
| Compliance with Rules and Regulations..... | 39 |
| Offenses and Penalties..... | 40 |
| Category I Offenses..... | 40 |
| Category I Sanctions..... | 42 |
| Category II Offenses..... | 42 |
| Category II Sanctions..... | 45 |
| Category III Offenses..... | 45 |
| Category III Sanctions..... | 46 |
| Disciplinary Processes..... | 47 |
| Settlement Agreement..... | 47 |
| Formal Disciplinary Process..... | 48 |
| Disciplinary Report Form..... | 48 |
| Pre-Hearing Detention..... | 49 |
| Disciplinary Hearing Notice..... | 49 |
| Disciplinary Hearing..... | 50 |
| Disciplinary Hearing Record and Review..... | 50 |
| Appeal of Decision and/or Sanction..... | 51 |
| Grievance Process..... | 51 |
| Stage 1: Informal Complaint Resolution..... | 52 |
| Stage 2: Formal Grievance..... | 52 |
| Emergency Grievance Process..... | 53 |

Introduction

The Shawnee County Adult Detention Center is located in downtown Topeka, Kansas at 501 S.E. 8th Avenue. The Shawnee County Adult Detention Center, Shawnee County Corrections Annex, and the Juvenile Detention Center are operated by the Shawnee County Department of Corrections. The Adult Detention Center admits only adult detainees that are at least 18 years old.

The purpose of this handbook is to provide you with the Department's expectations of you while you are incarcerated in the Shawnee County Adult Detention Center. The information provided will assist you in adjusting to confinement and help you gain a better understanding of detention procedures. **You shall be held accountable for the information contained in this handbook. Be advised that ignorance or claiming not to be aware shall not be accepted as an excuse for misbehavior.** The handbook is available in both English and Spanish. If you have any questions concerning the contents, ask any member of the staff to assist you. If you have difficulty reading, interpreting, or understanding the handbook, let the module officer know so that arrangements can be made to provide you assistance.

The information and procedures described within this handbook apply to all inmates and detainees, regardless of their lengths of stay or the reasons for their incarceration. Immigration and Customs Enforcement (ICE) detainees shall also have access to an ICE National Detainee handbook. Any information contained in the ICE National Detainee handbook that contradicts information contained in this handbook shall be resolved by the department's administration.

You shall return the Inmate Handbook to staff upon your release. Intentional damage to or destruction of this handbook may result in disciplinary sanctions. Any changes that may be made to rules stated herein shall be posted in each living unit and/or on the module kiosk.

Inmate Rights and Responsibilities

- You have the right to access the courts through correspondence on matters pertaining to your case and to conditions of your confinement. You also have the right to pursue remedies in connection with civil legal problems and any other rights protected by constitutional or statutory provision or common law. You shall not be subjected to reprisal or penalties for seeking judicial relief. You have the responsibility to present your petitions, questions, and problems to the court in an honest and reasonable manner.
- You have the right to confidential legal counsel from an attorney through interviews, telephone conversations, and uncensored correspondence. You have the responsibility to respect the time and space provided for attorney visits and comply with rules for correspondence, telephones, and visiting.
- You have the right to have access to the facility's Law Library to assist you with legal issues. You have the responsibility to use these resources appropriately according to facility policies and procedures and to respect the rights of other inmates and their needs for access/use of the material.

- You have the right to be treated humanely, impartially, and fairly by all staff members. You have the right to be protected from personal abuse, corporal punishment, personal injury, disease, property damage, and harassment. You have the responsibility to treat others (employees, inmates, volunteers, and visitors) and their property in the same manner.
- You have the right to freedom of religious affiliation and voluntary religious worship. You have the responsibility to acknowledge and respect the rights of others in this regard.
- You have the right to be informed of facility rules, procedures, and schedules. You have the responsibility to know and abide by them.
- You have the right to health care (medical, mental, and dental). You have the responsibility to request this care only when truly needed so that the system is not overburdened.
- You have the right to a nutritious diet. You have the responsibility to eat the food that is served without wasting food.
- You have the right to shower and brush your teeth regularly. You also have the right to maintain some freedom in personal grooming, unless your safety or the safety and order of the facility are affected. You have the responsibility to maintain adequate personal hygiene for your personal health and as a courtesy to those around you.
- You have the right to clean clothing, clean linen, and a clean living environment. You have the responsibility to follow the laundry exchange schedule and to maintain clean and neat living quarters.
- You have the right to communicate with family, friends, and others via written correspondence, telephone calls, and/or visits according to facility rules, regulations, and schedules. You have the responsibility to comply with these rules without circumventing the procedures.
- You have the right to exercise to maintain a healthy body and to assist with your mental well being. You have the responsibility to comply with exercise rules and to act responsibly when exercising so that you prevent self-injury and injury to others.
- You have the right to access programs and work assignments without regard to your race, religion, national origin, gender, sexual orientation, disability, or political views. You have the responsibility to request participation as desired and to comply with program rules.
- You have the right to use the grievance procedure for the expression and resolution of problems with guarantees against reprisals. You have the responsibility to use this process in a positive and productive manner to ensure problem resolution and avoid frivolous claims.

Initial Processing

Bonds

Shawnee County District Court bond amounts are set by the Automatic Bonding Schedule (ABS), which was created by the judicial district's judges. Classification staff through the module officer shall notify you when your bond changes.

The following is a list of different types of bonds set by the Shawnee County District Court (to include County probation violations) and Municipal Court:

CA (cash) is a cash bond that requires the full amount of the bond in cash only.

PS (professional surety) is a professional bond that requires a bondsman to post bond. A list of approved bondsman shall be posted in the booking area and in each module.

WS (with surety) is a bond that is approved by a judge. In some cases, the judge will allow a family member to sign for an inmate. A professional bond will also satisfy this type of bond.

ORC, ORCD, or CD (own recognizance with cash, own recognizance with cash deposit, or cash deposit) is a bond that requires ten percent of the bond amount specified to be paid in cash only.

OR (own recognizance) is a means of release from jail based upon the arrestee's signature only and does not require the posting of any money.

ORS (own recognizance with supervision) is a release by the arrestee's signature, but a court services officer must also supervise the arrestee upon release.

Municipal Court bonds are preset by the city judges and are subject to change at the judges' discretion:

CA (cash) is a cash bond that requires the full amount of the bond in cash only.

WS (with surety) is usually a professional bond that requires a bondsman to post bond, but family may also act as surety in some cases.

OR (own recognizance) is a means of release from jail based upon your signature only and does not require the posting of any money.

You may request a different type of bond than the one specified through your attorney and/or the judge.

If you are incarcerated as a state parole violator, there will be no bond for this status. If you have been sentenced to the Secretary of Corrections or sentenced to serve county time, there will be no bond.

Federal prisoners (including Immigration and Customs Enforcement (ICE)/Homeland Security) may have a bond set by the Federal Court. The detention center will not have information

regarding federal bonds. Information may be obtained from your attorney, the U.S. Marshal's office, or the ICE/Homeland Security office.

Booking and Processing Fee

If you have been arrested for a violation of a state statute specified in Chapters 8 (State Vehicle and Traffic Offenses), 21 (State Criminal Offenses), 41 (Intoxicating Liquor Offenses), and 65 (Drug Related Offenses), you shall be assessed a booking and processing fee of \$45.00. The fee shall be collected by facility staff from the money credited to your account at the time of arrest or as soon thereafter as money is posted to your Inmate Account Fund. If the fee is not paid in full by the time of your release, you shall be expected to pay the fee within 30 days of your release from the facility. If the fee is not paid within that time period, your name will be forwarded to an attorney/collection agency for pursuit of your payment. If charges are dismissed or you are acquitted of the arrest offense, you shall be able to apply to the facility for reimbursement of the fee within 30 days of resolution of your case. If you are in the Diversion Program, you shall not qualify for a reimbursement of the fee.

Court Appearances

The classification unit will be responsible for transporting you to court appearances. The classification unit is notified of court appearances by the courts. Your attorney is responsible for notification of court dates to you. However, the classification unit will answer questions about court dates and times if the information is available. You shall use the Inmate Request to Staff Form for requesting this information.

Intake

As part of the booking procedure, your personal property will be inventoried and securely stored in the facility's property room. Your cash money will be receipted and placed on your inmate account. Checks and credit cards will be placed with your property. You shall have access to make at least one phone call, unless the Court directs otherwise for your specific case or your behavior is inappropriate. A list of current bonding agents/agencies shall be posted in the booking area. Staff is not allowed to recommend bonding agents.

An officer of the same sex as you will search you prior to your being dressed in facility clothing. Any type of body piercing or jewelry that you may be wearing (tongue, nose, ear, navel, etc.) shall be removed. If you are unable to remove the item yourself, the shift supervisor will assess the situation and determine further action to be taken. If you are wearing hair extensions, you may be required to remove them and place them with your personal property to protect the security of the facility and your safety. If the shift supervisor determines that the weaves must be removed and you are unable to do so yourself, facility staff shall obtain the services of a cosmetologist for this purpose.

You shall be given a copy of the Adult Detention Center's Inmate Handbook and will be required to acknowledge your receipt of the handbook by your signature. You shall be issued a comb and receive all other hygiene items from the module officer of your assigned housing unit.

Additional hygiene items may be ordered/purchased from the commissary later or obtained on a one-for-one exchange basis in the module. Upon release from this facility, you shall return to staff all property issued to you, with the exception of hygiene items such as combs, soap, etc.

Classification

You will be housed in a living module according to a classification system. The classification system is designed and utilized to maintain the safety and security of the facility, inmates, and public at large. You may at any time appeal your classification status to the classification unit supervisor utilizing the Inmate Request to Staff Form.

Most newly admitted inmates shall be housed in a designated classification module for the first seventy-two (72) hours of their incarceration. If an inmate cannot be initially housed in a designated classification module, he/she shall be housed in Special Housing or the Medical module.

A classification officer shall conduct an interview on each inmate received within the last 72 hours in that module and determine an appropriate general housing assignment. Inmate management and housing assignments shall be based on age, gender, legal status, custody needs, behavior, and special needs or problems. There shall be a designated module for the housing of suicidal, close observation, and general population inmates. Each inmate's classification shall be reviewed within thirty (30) days from his/her initial classification interview.

You will be classified as one of three security levels: minimum custody, medium custody, and maximum custody. Your social history, arrest history, medical history, psychiatric risk, and behavioral history will help determine your initial classification level. These factors and your current behavior will assist in determining your continued classification level. Typically, you will be housed with inmates of similar classification levels. Your security level may change during your incarceration due to your behavior, mental health, and interactions with others.

The classification unit will maintain all active inmate master files. Information received from the courts will be acted upon as quickly as it is received. The classification unit will receive information on all inmates and may at times share information with the courts and public as prescribed by the policy and procedures of the facility and the Kansas Open Records Act.

You may request information from the classification unit including your court date and date of release (sentenced inmates only) by submitting a written Inmate Request to Staff Form to the classification unit. You may also submit a request for reclassification in the same manner. The classification unit is not your attorney. Any questions regarding the specifics of your case should be referred to your attorney through telephone, written correspondence, or during an attorney visit. The classification unit will not call your attorney or a judge to answer your questions.

General Rules

Smoking

Shawnee County Resolution prohibits the use of lighted smoking materials on County property. Smoking is strictly prohibited within the Shawnee County Adult Detention Center and the grounds of the Shawnee County Department of Corrections, including in the department's parking lots. You may not possess any smoking materials.

Inmate Clothing and Appearance

You shall receive one jumpsuit, two t-shirts, two boxers (male) or four panties (female), two brassieres (female), one pair of socks, and one pair of sandal shoes. If you are a module worker, you will be allowed an additional jumpsuit and one pair of socks. Clothing shall be distributed according to proper sizing **as determined by staff.**

You shall be fully clothed before leaving your cell, including traveling to and from the shower. Fully clothed means you must wear a t-shirt, underwear, socks, jumpsuit, and shoes. Your jumpsuit shall be worn as designed with your arms through the armholes and legs inside the pant legs. All snaps on your jumpsuit shall be fastened with the exception of the top snap, if you prefer to keep it unfastened. The collar of your jumpsuit must be worn out, your pant legs shall not be rolled up past your ankles, and your shirt sleeves shall not be rolled up. A photo displaying the proper wearing of the jumpsuit shall be posted on the kiosk in each module.

A doo rag purchased through the commissary is the only item that may be worn on your head in the module. You shall not wear a towel on your head between the shower and your cell or in the dayroom. You shall not use socks, underwear, t-shirts, or rags to cover your head at any time. When leaving the module, your head shall be uncovered, without a doo rag. You shall not use parts of your clothing, including the elastic from your jumpsuit or panties, to make hair ties.

You shall not sleep in the nude. When in your cell, you shall wear a t-shirt and boxers or panties at all times. **NO EXCEPTIONS!**

You shall not intentionally damage any item of clothing issued to you by any means (e.g., tearing it, writing on it, or altering the look of it). If you intentionally damage the clothing or other item issued to you, you shall be subject to disciplinary action and potential restitution.

Identification Wristbands

During the intake process, you shall be issued a wristband. Written on your wristband will be your name, date of birth, your property bag number, gender, and race. **You shall wear your wristband at all times on your wrist.** This includes while you are taking a shower and sleeping. At no time shall your wristband be tampered with or removed. If the information on your wristband comes off or your wristband needs to be replaced, you may ask your module officer for a new one. You shall be subject to disciplinary action for tampering with and/or removing your wristband.

If you are placed on Suicide Watch, you will not wear a wristband. The officer shall maintain your wristband while you are on Suicide Watch.

If you are an out-of-module inmate worker, you shall be issued a photo identification card that must be worn on the collar of your jumpsuit. Once you receive your identification card, you will not be required to wear a wristband.

Linens Issue

You shall receive 1 blanket, 2 sheets, and 1 towel, unless you are on a special status that prohibits these items. During the winter months, you shall be authorized to possess two blankets. The Operations Captain will determine in which months an extra blanket will be authorized.

Clothing/Laundry Exchange

Clothing will be exchanged twice a week and linens once a week. You shall participate in this process and exchange your items on a one for one basis. If you are assigned to a work detail, you may be allowed to exchange your clothing more frequently, depending upon the specific type of detail to which you are assigned. If you have been housed in the facility for more than ninety (90) consecutive days, you may request to have your blanket laundered. Washing of your own issued clothing is prohibited, except in the Shawnee County Corrections Annex.

Personal Property

The personal property that was in your possession upon your entrance shall be stored securely in the facility's property room until you are released from the facility. Items received through the mail that are prohibited may also be added to your property in the property room.

➤ Shawnee County Corrections Annex

If you are assigned to the Shawnee County Corrections Annex as an inmate work program participant or as a work crew inmate, you shall be authorized to wear appropriate civilian clothing, remembering that you are a representative of the facility. You shall be provided a list of items you are allowed to have in the module once you arrive. If you possess more than the allotted and/or authorized clothing, you shall be subject to disciplinary action. When you are assigned to an outside jail work crew, you shall be required to wear clothing as directed by staff supervisors, including a shirt and/or jacket that identifies you as a member of the work crew. You shall be required to wear your shirt to cover your upper torso while working at all times.

➤ Court

If you will appear in court for a jury trial, your attorney, friend, or a relative may bring in your civilian clothing to the front desk during normal business hours. You shall be allowed two sets of civilian clothing, which shall include one tie, one belt, and one pair of shoes. You may wear the clothing to court but upon returning to the facility, you must change back to your assigned jumpsuit.

➤ **Inmates Awaiting Transfer to a State Correctional Facility**

The Kansas Secretary of Corrections has established limits on the personal property you may take with you to any State institution. A list of this authorized property shall be posted in each module. You shall arrange for the pick-up of your property that will not be accepted by the State. You shall submit an Inmate Request to Staff Form to ask the Property Officer to make these arrangements. Once you have completed an Inmate Property Disposal Form, the Property Officer will notify the third party that you have requested the party to pick up your property within sixty (60) days from the date the form was executed. After two (2) follow-up telephone calls to notify the third party to pick up your property have failed, the facility staff will dispose of the unclaimed property. Unclaimed property capable of being cleaned shall be stored for disbursement to inmates being released who have no clothing. Unclaimed valuables or identification cards shall be marked with the inmate's full name and stored inside a secure cabinet until claimed.

If you fail to submit the appropriate property disposal form prior to your departure, your property will be shipped to the person/address that you provided for emergency notification. The facility shall not be responsible for any property lost during shipping. The Property Officer shall initiate disposal of all inmate property that returns undeliverable from shipping, unless the problem with the shipping was the fault of facility staff.

Inmate Account Fund

➤ **Incoming Funds**

Any money that you arrive with or receive during your incarceration shall be deposited in your Inmate Account Fund, except personal and payroll checks. Records personnel are responsible for maintaining this account. Any funds sent to you must be mailed to this address:

Your Name (first then last)
Shawnee County Jail
501 S.E. 8th Avenue
Topeka, Kansas 66607

Only bank money orders, attorney trust account checks, cashier's checks, government checks, tribal checks, and other correctional facilities' checks will be accepted. These checks and orders must be made payable to you. The sender's name and address must also be written on the money order or check for deposit to your account.

If you arrive with a check that is accepted by the department, you may choose to have it secured with your personal items in the property room for the duration of your incarceration or deposited in your Inmate Account Fund.

Any cash received by mail will be returned to the sender at your expense. If there is no valid return address, the cash shall be placed in the Commissary Account Fund. Cash will be accepted for placement on your inmate account at the records window, accessed through the front lobby.

The booking window will accept cash and other identified payment methods whenever the records department is closed.

Money may also be deposited to your Inmate Account Fund at the kiosk located in the lobby of the Shawnee County Department of Corrections Annex.

You are responsible for keeping track of your account balance. You can check your account balance on the kiosk in your assigned module. Transfer of funds between inmates is not allowed, including inmate work program.

➤ **Outgoing Funds**

One (1) money release shall be granted from your account. Only the money you were in possession of at the time of your arrest shall be released. You must submit an Inmate Request to Staff Form to the records department (on the days and times posted in the module for this purpose) to request the release. Trusties and inmate work program inmates may request to release money an additional time(s) by submitting an Inmate Request to Staff Form to the Programs Unit Supervisor. Money shall be released only as specifically authorized by the Programs Unit Supervisor.

Upon release from custody, you shall be given a check for the balance of any money in your account over \$1.00. If the balance in your account is less than \$1.00, you will not receive the funds unless you request the funds in person within 10 calendar days of your release. You must request the funds during normal business hours, 8:00 a.m. to 4:45 p.m., Monday through Friday, excluding holidays, at the Accounting window located in the Adult Detention Center lobby. The funds will be paid to you by check only; no funds shall be provided with coins.

If you are being transferred to another facility, any funds on your account, including any amount under \$1.00, will be transferred to the facility you are going to by way of a check. If you are being transferred to the Kansas Department of Corrections, your funds shall be sent to the centralized banking location as directed by the state.

➤ **Indigent Status**

Indigent is defined as being booked into the facility with less than one dollar or having less than one dollar in your inmate account fund for at least seven consecutive days. If you spend more than \$1.00 for commissary, you shall not be considered indigent for that week.

If you are indigent, you shall receive paid postage for one personal letter (1 ounce or less – weight for standard postage), three times per week, Monday through Friday. If you are indigent, you shall be eligible to order certain commissary items once per week. Eligible items are listed on your commissary order form.

Any fine, restitution, medical co-pay, booking fee, or other required deduction shall be taken from your inmate account fund when funds are received. If you still owe funds to the facility when you are released, the balance of funds owed will be carried over to any future incarcerations here and will be deducted when funds are deposited to your account.

➤ **Garnishment**

If a notice of garnishment from the court is received for your account, the account shall be immediately frozen, and you shall be served the court action. When the debt is paid in full from your account, you shall receive a receipt from Records staff.

➤ **Notary Public Services**

Records staff shall notarize your signature upon your submission of an Inmate Request to Staff Form. You may receive up to three (3) copies of any item that is notarized for a legal purpose. You may be charged a reasonable fee for Notary services and copies. The Notary Public schedule and associated costs shall be posted in the module. If you are indigent, for materials related to criminal defense or appeal, writs of habeas corpus, or civil actions related to conditions of confinement, Records staff will still notarize documents and make copies for you, but the fees owed for these services will be debited from your inmate account fund when funds are received. An inmate's attorney who is qualified to serve as a Notary may provide this service during a legal visit.

➤ **Copies of Documents**

Copies of documents shall be available upon request in reasonable quantities. You shall submit your request for copies to Records staff on an Inmate Request to Staff Form. If applicable, you need to provide your case number for reference in the Inmate Request to Staff Form. You may be charged a reasonable fee for copies/copying service as posted in the module. Staff may refuse to copy large documents unless it is for legal purposes. If you are indigent and do not have an attorney, for materials related to criminal defense or appeal, writs of habeas corpus, or civil actions related to conditions of confinement, you shall be provided copies as needed in reasonable quantities. However, your inmate account fund shall be charged for this service, and funds shall be deducted from your account when they become available. If you are indigent but have an attorney, he/she shall be responsible for providing copies of materials related to the conditions of your confinement to you. Requests for copies of pictures and/or drawings are not allowed.

Requests for print-outs of Law Library materials shall be submitted to the Programs Department on an Inmate Request to Staff Form.

Commissary

If you have money on your account, you shall have the opportunity to purchase items from the facility's commissary, subject to restrictions imposed through disciplinary action and/or medical restrictions. The physician may order medical restrictions.

You shall be allowed to purchase items from the commissary twice each week. The commissary schedule shall be posted in the modules. There shall be a maximum expenditure limit per store day/week posted in the module.

The commissary ordering procedures shall be posted in the modules. You may view a list of items that may be purchased on the module kiosk before the scheduled commissary. No credit shall be extended. You shall be prohibited from purchasing and possessing an excessive amount

of any item. You shall purchase and possess only the amount of items that can reasonably be consumed or utilized in one week, with the exception of items that will individually last longer than one week (such as shampoo, soap, deodorant, etc.).

You may not make purchases from another inmate's account or purchase commissary items and give them to other inmates. If you are on segregation status (administrative or disciplinary), you shall be allowed to purchase writing supplies and personal hygiene items only. Segregation status inmates may be afforded an opportunity to order commissary items in accordance with the Behavior Management System. While on segregation status, you shall not be allowed to purchase lotions, oils, and/or creams unless approved by the Director or the medical provider's physician. If you are in general population and on commissary restriction that does not result in segregation, you shall not be allowed to purchase anything from commissary. However, you can request writing materials by submitting an Inmate Request to Staff Form to the shift supervisor.

Upon receipt of your purchases, you shall verify the delivery with the delivering staff person by your signature on the appropriate receipt. No exchanges shall be allowed after you sign the receipt.

If you are not present in the module when the commissary items are delivered, you shall receive your merchandise at a later time at the convenience of staff. If you are released before you receive your order, you shall have 72 hours from the scheduled commissary delivery date to return to the facility and claim the ordered items. After 72 hours, items not claimed will be placed in stock and used as needed for order discrepancies or to replace damaged commissary items.

If you are admitted to the facility after the scheduled commissary day, you may request an indigent writing package from the shift supervisor for legal correspondence only.

Inmate Tablets

You shall be allowed access to an institutional tablet in accordance with the regulations established. You are required to make use of the tablet for authorized purposes only. You will have the option of renting the tablet for an established monthly fee. The fee is non-refundable, regardless of the amount of usage made of the tablet. All tablet usage, including the tablet that you have rented, is subject to restriction based upon your behavior in the module. If you destroy or damage the tablet during usage, you will not be allowed to make use of another institutional tablet until full restitution of the cost of replacement has been made. All fees charged for use of premium content for the tablet are payable to the vendor providing the tablets. The department shall not make restitution to you for any such fees.

Communication

➤ Telephone

During the booking process, the booking officer shall allow you to place non-collect local telephone calls to notify family, friend, and/or attorney of your arrest and to procure bond, as long as your behavior remains appropriate. Once you are dressed into a module and have been issued a pin number, you may use the inmate telephones in the modules to make collect telephone calls according to the module's telephone schedule. You shall be allowed to make

telephone calls as long as your behavior is appropriate and the Court does not state otherwise due to your specific case.

If you need to use a non-collect telephone for a special purpose, you shall submit an Inmate Request to Staff Form to the shift supervisor, describing the special need for the call. If you have a family emergency, the shift supervisor shall verify the emergency before you will be allowed to make a non-collect telephone call.

All telephone calls are subject to being recorded, including attorney/client telephone calls, for the safety and security of staff, inmates, the community, and the facility. An inmate who wishes to have attorney/client telephone calls non-recorded shall make a request to his/her attorney to have the attorney's phone number registered with the department's phone system as "non-recorded". The attorney shall provide a written request on official letterhead, including the number or numbers the attorney uses for communications with the inmate, to have those numbers registered as "non-recorded". After confirming the number is associated with the attorney's home or office, the number shall be registered as "non-recorded" in the department's inmate phone system. This process will not prevent recording of attorney/client telephone calls that are made through a third person call, which is considered an unauthorized use of the telephone. If you are hearing or speech impaired, the facility will provide access to alternate means of telephone communication. You may request alternative service by submitting an Inmate Request to Staff Form to the shift supervisor.

• **Telephone Rules**

- Telephone hours shall be as posted in the module. Telephone use will be allowed during posted times except during any type of lockdown or emergency.
- You must sign up for a telephone call on the telephone log sheet located at the officer's workstation.
- You shall be allowed a maximum of two successful telephone calls per day.
- At no time shall you be on the telephone without permission from the module officer.
- You shall be issued a pin number for telephone use and at no time shall you use another inmate's pin number.
- At no time shall you share a telephone call with another inmate.
- No three-way telephone calls shall be allowed.
- If your behavior becomes loud and/or inappropriate while you are on the telephone, staff may direct you to terminate your phone call immediately.
- If you are using the telephone during an emergency, you shall terminate the call immediately and return to your cell.
- If you are using the telephone during medication pass, you shall be allowed to finish the current call. Once the call is finished, you shall immediately return to your cell until medication pass is completed. If you are on the telephone and need to receive medication, you shall temporarily leave the telephone call, take your medication, and then return and complete your current telephone call.

➤ **Mail**

You shall be allowed to correspond in writing with persons or organizations outside of this facility, unless there is a specific reason(s) to prohibit the correspondence to protect the safety

and security of the recipient, the public, or the staff and inmates of the facility. Mail shall be limited to your personal correspondence with individuals outside the facility. All incoming and outgoing mail shall be subject to search at any time.

You shall not be allowed to correspond in writing with other inmates within this facility or in another facility unless they are your immediate family members. If you want to communicate via mail with another inmate in this facility or in another facility who is an immediate family member (parent, sibling, spouse, child, grandparent), you shall submit an Inmate Request to Staff Form to the Operations Division Manager to request permission to correspond with the individual. If the immediate family member is your spouse and is also in custody within this facility, you will also need to complete an Affidavit of Marriage. You shall attach the affidavit to the Inmate Request to Staff Form and submit both forms to the Operations Division Manager. An Affidavit of Marriage form can be obtained from the Programs Department. Once the Operations Division Manager has verified your relationship, he/she will approve or deny your request and notify you and the facility's mail clerk of the action. Mail will be picked up and delivered on a daily basis, excluding weekends and holidays.

- **Outgoing Mail**

You may correspond in writing with anyone outside the facility (unless there is a protective court order in place). Writing material shall be made available to you through the department's commissary. If you are indigent, you may obtain an indigent writing paper package through the commissary. You shall be permitted to retain writing materials in reasonable amounts. You shall pay your postage costs for personal outgoing mail unless you are on indigent status. If you are indigent, you shall be allowed to mail out one personal letter (1 ounce or less - weight for standard postage), three times per week, Monday through Friday. You shall not send any correspondence out of this facility inside or with another inmate's outgoing mail. All outgoing mail must be sealed in a facility issued envelope. No postage paid or reused envelopes are allowed.

Each item of outgoing mail shall be clearly marked with your complete legal name and the facility's name, address, and zip code in the following return address format:

Your Name (first and last)
Shawnee County Jail
501 S.E. 8th Ave.
Topeka, KS 66607

Outgoing mail shall be placed in the appropriate mailbox in the housing unit. Letters that do not contain this information will **NOT** be mailed out and shall be returned to you. Outgoing mail with pictures or graphics on any portion of the envelope shall be returned to you. Outgoing mail with gang signs or language on the envelope shall be returned to you, and you shall be subject to disciplinary action. The only writing that shall be allowed on the outside of an outgoing envelope other than return address and sending address shall be the words "legal mail" when appropriate.

Mail addressed to staff members in their official role shall not need postage. **You shall not write letters or requests to staff that are personal in nature.**

Any request for the retrieval of a letter placed in the inmate mailbox shall be made in writing on an Inmate Request to Staff Form and hand delivered to the mail clerk. Any request to have mail pieces weighed shall be made in writing on an Inmate Request to Staff Form and placed with the questionable piece of mail in to the inmate mailbox. The piece of mail will be weighed and returned to you the same day.

- **Incoming Mail**

Your incoming mail must come through the U.S. Postal Service to be accepted at the facility. A mail clerk or other assigned staff shall open and inspect all non-legal incoming mail, excluding any mail addressed to an ICE detainee. Any cash mailed in to you shall be returned to sender at your expense. The facility shall not be responsible for any cash lost through the mail. Incoming mail that has any gang sign or language on the envelope or on the inside contents of the envelope shall be returned to sender or placed with your secured personal property. Any inappropriate pictures or materials shall be returned to sender or placed with your secured personal property. You will be notified in writing of any incoming mail addressed to you that is prohibited and withheld from you. Such mail shall be returned to sender or stored with your secured personal property.

Incoming mail for an ICE detainee shall be opened and inspected in the ICE detainee's presence by the module officer at the time of mail distribution.

Unless approved by a division manager, no packages or personal property will be accepted. There shall be a list posted in the modules of other miscellaneous items that will not be accepted through incoming mail. If an item from this list is mailed to you, it shall be placed with your personal property and you will be notified. No duplicate documents (legal or otherwise) or duplicate photos, etc. shall be allowed.

- **Inmate Voting**

You shall be allowed to participate in elections taking place during the period of your incarceration, through the use of absentee voting, to the extent allowed by the law of the jurisdiction holding the election. You may request from an absentee ballot from the jurisdiction and, once you have voted, have that ballot mailed back to the jurisdiction. The department will not participate in any challenges to the decisions made by the election authority in the jurisdiction, on your behalf. Any decisions regarding your eligibility to vote will be exclusively handled by the election authority.

- **Letters and Photographs/Pictures/Cards**

You shall be allowed to keep ten (10) personal letters, five (5) photographs/pictures/drawings, and five (5) occasion cards in your assigned cell.

Photographs/pictures/drawings printed or drawn on any type of paper shall not exceed eight (8) inches by ten (10) inches.

All excess letters, photographs/pictures/drawings, and cards shall be stored with your personal property. If you refuse to follow this directive, you shall be subject to disciplinary action.

- **Legal Mail**

Legal mail is considered mail sent to or received from an attorney, judge, or other federal, state, or local government official. Your incoming legal mail shall be opened and inspected by staff in your presence. The officer shall remove any paper clips, staples, metal clasps, etc. Any piece of mail marked as legal mail that does not contain a return address shall be opened and inspected in the mailroom prior to being delivered to the module(s). Legal mail is the only type of mail that may be hand delivered to the facility by your attorney. The attorney shall present such mail to staff upon his/her arrival at the facility. Legal mail delivered to the front desk by anyone other than legal counsel shall not be accepted. Any of your property is subject to search by staff at any time, including legal mail. Postage for outgoing legal mail shall be paid by the facility, up to a maximum of three envelopes per week. You shall pay the postage for legal mail above the three envelopes per week limit. Outgoing legal mail shall not be hand delivered, regardless of its destination (e.g., courthouse). Postage paid legal envelopes shall not be allowed, unless approved by the Director or designee.

- **Newspapers and Publications**

A local newspaper will be issued to each module on a daily basis. The newspaper shall remain in the dayroom and not be taken to your cell, unless you are housed in Special Housing. A newspaper shall not be destroyed in any manner, including writing on or tearing out articles.

All inmates shall be permitted to receive subscriptions (whether paid or free) from the publisher, a distributor, a book club, or a bookstore. The Director may make an exception to the requirement if the publication is no longer available from the original source. An inmate requesting an exception under this provision shall provide the Director with written documentation that the publication is no longer available from these sources.

The Director may censor an incoming publication if it is determined to be detrimental to the safety, security, good order, or discipline within the ADC or if the publication might facilitate criminal activity. When a publication is found to be subject to censorship, the decision maker shall promptly advise the inmate in writing of the decision and the reason for the decision. The inmate shall be allowed to review the material considered subject to censorship for purposes of filing an appeal to the County Counselor's Office. You shall have ten (10) days from the time you received written notification that a publication was censored. The censored publication shall be retained at the ADC if the inmate indicates that an appeal will be filed or until time for an appeal by the inmate, publisher, or sender has lapsed.

You are not authorized to exchange or trade a publication with other inmates. The approved publication must be retained by the inmate to whom the publication was sent.

In order to minimize fire hazards within the living unit, you shall be limited to a total of five (5) books, newspapers, or magazines whether obtained through subscription delivery by mail, from the facility Chaplain, or from the facility library. If you receive a publication that increases the number of books, newspapers, or magazines beyond the allowable number, you may exercise one of the following options:

Reduce non-subscription publication books, newspapers, or magazines to five (5) by returning some to the source from which they were obtained;

Purchase a prepaid mail envelope/box from the agency by submitting an Inmate Request to Staff Form to the Operations Division Manager. You shall use the prepaid mail envelope/box in order to mail your property to an address of your choosing at your expense or you shall use the prepaid mail/envelope/box in order to package and have the property picked up by an authorized person. The authorized person shall have sixty (60) days from your release to pick up the prepaid mail envelope/box of property or the property shall become abandoned property. The agency reserves the right to charge a processing fee for the release of any property that you did not have during initial in-processing. You or the person picking up the property shall pay the fee before the property is released.

Dispose of excess subscription publication books, newspapers, or magazines in the module trash container; or

Donate the excess subscription publication books, newspapers, or magazines to the facility's library for distribution to other inmates in the ADC.

- **Packages**

Packages shall generally not be accepted. If you have a special need, you shall make a request to the Operations Division Manager to receive a package. The division manager shall determine the size, number, and content of all packages. All packages shall be subject to inspection for contraband.

- **Communication with Staff - Inmate Request to Staff Forms**

Inmate Request to Staff Forms may be obtained from the officer on duty in your module. You shall be allowed to send up to four (4) request forms per day. The officer shall complete the top of the request form for you, and you shall complete the content of the request. Once you have completed the request form, you must return the request form to the module officer who will place the request form in the module mailbox for pickup in the mornings before 8:00 a.m. The mail clerk picks up the request forms on weekday mornings, excluding holidays, usually after 8:00 a.m. and before 9:00 a.m. If your request form is not placed in the mailbox in time, your request will not be picked up until the next weekday morning.

Request forms or any other form of correspondence to staff will not be accepted when signed by more than one inmate. Such requests shall be considered petitions and the inmates who signed the document shall be subject to disciplinary action.

When filing a request, please direct it to the appropriate department as specified within this handbook or as posted. A brief, non-inclusive list is provided below.

Front Lobby: Requests to contact attorney, probation/parole office, and court services. (Must include the name and phone number of person to be contacted.)

Shift Supervisor: Requests to use non-collect telephone (no guarantee); and requests for writing materials.

- Classification:** Requests regarding:
- a) release date (only those that are sentenced by the County or City may request this);
 - b) Court dates;
 - c) City Court;
 - d) relocation (reason must be sound); and
 - e) alerts you may have against another inmate(s).
- Court Services:** Questions about bond reduction and domestic case issues.
- ICE:** Questions regarding immigration case or conditions of confinement.
- Records:** Requests for Notary and/or copying services.
- Property Officer:** Requests to release keys, bankcards, or all property and apparel.
- Programs:** Requests to attend programs (e.g., Bible study, AA/NA).
Requests to use the Law Library.
Requests for in-cell exercise programs.
- Chaplain:** Requests for religious material(s) and books.

➤ **Visitation**

• **Professional Visits**

You shall be able to receive professional visits when the front lobby is open for business and at other special times as arranged by your attorney or other professional staff. Professional visitors shall include attorneys, parole/probation staff, law enforcement officers, and authorized religious leaders. An authorized religious leader is one that has been approved for this purpose through the volunteer application process. Religious leaders shall visit with inmates as much as possible during regular public visitation times.

• **Public Visits**

All public visits shall be conducted through the facility's video visitation system. The system allows for on-site visitation (lobby of Corrections Annex, 818 Adams), and remote visitation from any location equipped with high-speed internet, a personal computer, and webcam. Remote and on-site visits must be scheduled at least 24 hours in advance by the visitor – either from the Securus Video Visitation Website or at the kiosk in the ADC Lobby. The duration of each on-site visit is 20 minutes and remote visits may be for 20 or 40 minutes. Each inmate is limited to two on-site visits per week with a maximum of two visitors per visit. Adult visitors shall be required to show photo identification with date of birth when scheduling a visit. Identification must be in the form of a driver's license or state authorized identification card. A parent or guardian must accompany minors under the age of 18. Visitors shall comply with visitation rules and visitation dress requirements. Visitors shall be required to maintain control of minor children that enter the grounds with them, including their movements and noise levels. Facility staff may deny or terminate a visit when a visitor refuses to comply with facility rules and/or

upon reasonable belief that the visit may endanger the security of the facility. The misconduct of a visitor may result in permanent suspension of that visitor's privilege to visit.

On-site visitors may park in the Corrections Annex parking lot. The public bus station is located at 8th and Quincy, which also provides a convenient transportation option for visitors.

➤ **Immigration and Customs Enforcement Pro Bono Legal Services**

Immigration and Customs Enforcement detainees shall have access to pro bono legal services. The pro bono legal services telephone numbers are located on the kiosk system.

Meals/Special Diets

You shall be provided three meals each day. Meals served shall meet nationally recommended allowances for basic nutrition. Special diets shall be provided for verified religious and medical reasons but must be requested through the medical staff for medical reasons or the Special Services Division Manager for religious reasons. The department shall provide a Certified Religious Diet (CRD) for religious diets. Failure to follow the prescribed medical diet may result in additional restrictions being placed on you to ensure your medical condition is being appropriately managed.

You shall submit an Inmate Request to Staff Form to the Special Services Division Manager to request a CRD diet. The request shall provide a reason for requesting a CRD diet. The CRD diet list is updated once a week and new participants are then added to the approved list. Inmates who are approved for a CRD diet shall not accept or trade any food from their tray or another inmate's tray. If you are observed accepting or trading food while on a CRD diet, you shall be held accountable with disciplinary action. If you want to be removed from a CRD diet, you must send an Inmate Request to Staff Form to the Special Services Division Manager requesting to be removed. You will be removed for a minimum of 30 days at which time you may submit an Inmate Request to Staff Form to the Special Services Division Manager requesting to be placed back on a CRD diet.

Staff shall announce when meals are being served. You shall receive only one meal tray and one of each beverage listed on the food service menu. When no beverage is listed on the menu, you may drink water (water and ice are available in the module) in the cup issued to you for this purpose. You may also drink a beverage that you have purchased through the commissary. You shall eat the meals on the trays and with the utensils provided, unless you have purchased your own approved eating utensil through commissary. Unless purchased through commissary, the eating utensils shall be returned with the meal trays.

If you refuse a meal, it will not be saved or given to another inmate. No extra trays will be ordered or given out, so do not ask. No uneaten food shall be saved. Food from facility meals shall not be stored in your cell or the module. You may keep commissary food items only in your cell. If you are prescribed a snack for medical purposes, you shall be allowed to eat the snack inside your cell. The snack shall be consumed on the day it is received and shall not be saved for the future.

You shall not barter or gamble for food and shall not trade or exchange food from one tray or person to another. You shall not take food or drink from another inmate. You shall not touch

another inmate's food tray unless you are a module worker or food service trusty and wearing protective gloves and hairnet.

At the conclusion of the meal, you shall return to your room until the completion of clean up.

Medical Services

Medical staff shall conduct a medical and mental health screening upon your arrival. It is your responsibility to inform the staff of any medical, dental, or mental problems you may have, any medication(s) you are or should be taking, and any special treatments or special diets you should be receiving.

Within the first two weeks of your admission, medical staff will conduct your more intensive health appraisal. A medical doctor, psychiatrist, and dentist come to the Adult Detention Center on a scheduled basis. It is your responsibility to notify the medical staff of any medical needs you may have. Inmate Medical Request Forms may be obtained from the module officer. The officer shall complete the top portion of the request form, and you shall then complete the content portion of the request. Each form shall be completed and placed in the Medical Request Box located in the module.

Medical staff will collect the inmate Medical Request Forms for evaluation one time daily, usually early each morning. Upon evaluation of your Medical Request Form, you may be taken to the medical module for examination, if necessary, or be scheduled for the appropriate clinic to address your specific medical needs. If you do not want to receive treatment for an illness or condition, you shall allow medical staff the opportunity to explain the consequences of your refusal and sign a refusal to treat form.

A co-payment may be assessed for each medical sick call request submitted by you. No co-payment will be assessed for a visit to the medical clinic that is initiated by medical staff, for emergency care, for a follow-up check for an injury or illness that is initiated by medical staff, or for a chronic care visit. You will be assessed a medical co-pay fee for each month that you receive prescribed medication. Medical staff shall decide if a co-pay should be assessed. Current medical co-pay fee amounts are posted in the module.

Medical staff shall notify all federal inmates of the medical co-pay and payment process during the inmate's initial medical screening. A co-pay may be assessed for each medical sick call request submitted by a federal inmate after thirty (30) days from the inmate's initial medical screening. Any medical services provided to a federal inmate between the inmate's initial medical screening and the 30 day waiting period shall be at the department's expense.

Each co-payment shall be deducted from your inmate account fund. If you are indigent, the co-payment shall be charged against your account and deducted as funds become available. **No inmate shall be denied access to medical care due to an inability to pay the co-pay fee.**

Medical staff shall distribute prescribed medications to each module at least twice daily, in the morning and in the evening. You are responsible for reporting to the medicine cart to receive your medication after the module officer has announced the presence of the medicine cart in the module. You shall take only the medication that is prescribed or authorized for your use. You shall utilize the cup and water provided by medical staff and swallow oral medications provided

immediately. You shall open your mouth upon direction of staff to allow the staff to ensure that you have swallowed your medication.

Certain over-the-counter medications shall be available through the commissary. Indigent inmates shall be able to receive over-the-counter medications from medical staff, as determined necessary by medical staff. A co-payment may be assessed against your account and deducted as funds become available.

The County may pursue reimbursement of medical expenses paid by the County for you during your time in the custody of this facility. The County may pursue reimbursement through any insurance plan that you may have or any other type of medical reimbursement program for which you qualify. If you do not have insurance and do not qualify for another type of program, the County may bill you directly for the cost of the services. Reimbursement shall be charged against your account and deducted as funds become available. This includes future incarcerations when funds become available. If you are an inmate assigned to this facility by the Federal Marshal or ICE, the County will not pursue reimbursement since the federal government pays the County for your medical costs.

Anytime you feel that your medical needs are not being met or anytime you have any questions regarding access to medical services or billing disputes, you shall attempt to resolve the situation by submitting an Inmate Request to Staff Form to the Director of Nursing. If you believe that the Director of Nursing has not adequately responded to your concern or question, you shall submit an Inmate Request to Staff Form to the Health Services Administrator. If that does not resolve the situation, you may submit a written grievance to the Deputy Director over Adult Detention and Legal. The decision of the Deputy Director shall be final.

Information about diseases, the importance of compliance with medications, nutrition, physical fitness, and other health-related topics shall be available for you through written publications in each module and the medical clinic. If you have a question or concern that is not covered in any of the information provided, submit a Medical Request to Staff Form to the Director of Nursing. Medical staff will also provide verbal counseling and information to you regarding any special condition or disease you may have or develop to assist you in managing the condition.

Religious Services

A range of religious services and programs that satisfies the fundamental tenets of most major faith groups will be offered to you. If the services and programs scheduled do not satisfy your specific religious need, you may submit an Inmate Request to Staff Form to the Chaplain, stating your specific need. The facility will attempt to accommodate your religious needs as long as your designated religion is recognized by the Shawnee County Department of Corrections.

➤ Bible Study

Bible Study groups shall be conducted in modules according to the schedule of the volunteers providing this service. Bible Study schedules shall be posted in the modules.

➤ **Services**

Regular and special religious services are offered as scheduled by the facility's chaplain. These services may be conducted in the module, through the facility's television system, or in an out-of-module setting. Service schedules and special notices will be posted in the module.

➤ **Religious Publications**

Bibles, Korans, and other religious texts and publications are available for you upon request. You may submit a request for your religion's major text on an Inmate Request to Staff Form to the Chaplain. A request for a publication other than the main text for your designated religion may be provided, depending upon the size, content, and cost of the publication. You will not be allowed to possess nor will you be provided the text of a religion that is not considered a recognized religion by the Shawnee County Department of Corrections.

You may have up to 2 religious books/publications in your possession at one time. Religious books/publications (e.g., Watchtower, the Daily Bread, etc.) shall count towards the five (5) books, newspapers, or publications the inmate is allowed. This does not include the main text of your designated religion, such as the Bible or Koran.

➤ **Religious Symbols**

If you want to obtain a religious symbol that is considered a tenet of your designated religious faith, you shall submit an Inmate Request to Staff Form to the Chaplain. The number and value of such symbols may be limited. You will not be provided nor will you be allowed to possess a symbol for a non-recognized religion. If the religious symbol is not available from the facility, a family member or friend may provide the religious symbol if approved by the Special Services Division Manager or designee.

Exercise and Recreation Opportunities

➤ **Gymnasium Privilege**

You shall have the opportunity to use the gymnasium normally once per week as space, security, staffing, and equipment in the facility permit. Each module, except the segregation unit, shall be scheduled for a gymnasium recreation period. The amount of time scheduled includes the amount of time utilized to move to and from the gymnasium. A gymnasium schedule is posted in each module. You shall move directly to and from the gymnasium in a single file line without loitering or talking with other inmates. You shall use the gym equipment only for the purpose in which it is intended (e.g., basketballs shall be used to play basketball and are not to be thrown against the walls).

You shall wear the supplied shoes while on the gym floor. You shall remain fully clothed when participating in the gym. You shall be allowed to wear your issued jumpsuit, t-shirt, and boxers or the provided gym shorts, t-shirt, and boxers. All gym shorts and shoes shall be placed in the laundry cart after use, as directed by the officer.

Gymnasium time is considered a privilege that may be forfeited as a disciplinary sanction. You may also be restricted from the gymnasium for medical reasons or pending disciplinary actions.

➤ **Outdoor Court**

You shall have the opportunity to exercise on your assigned module's outdoor court during scheduled daylight hours as long as the shift supervisor has not declared the weather to be too inclement to allow outdoor activities. You shall have this opportunity on a daily basis unless you are housed in the segregation unit, restricted from this privilege as a disciplinary sanction, or restricted from the outdoor court for medical reasons. A basketball shall be provided for your use unless you abuse the privilege. You shall comply with the maximum number of inmates allowed on the outdoor court at one time, which shall be no more than four. Your time on the court may be limited to allow other inmates the opportunity to use the court, as directed by staff. No food or drink shall be allowed on the outdoor court. You shall not lie on the ground while on the outdoor court. If you do not want to go outside for exercise, you may exercise within your cell. Exercise in the dayroom shall be prohibited. You may submit an Inmate Request to Staff Form to the Programs Department for instructions on an in-cell physical exercise program.

➤ **Indoor Recreation**

Forms of indoor recreation offered are card games, chess, checkers, and other board games as deemed appropriate for the population. These items shall be available for you through the commissary. A limited number of games shall be stored at the officer workstation for indigent inmates. You may play these games with other inmates in the module's dayroom, as scheduled. Games shall not be used for gambling. If you are housed in administrative segregation, you will be allowed to maintain a deck of cards in your cell unless you abuse the privilege.

You may also request an in-cell exercise program in the event of inclement weather or during facility lockdowns. To obtain a copy of the in-cell exercise program, you must fill out an Inmate Request to Staff Form and submit it to the Programs Department.

➤ **Entertainment**

General population modules utilize the in-cell intercom system to broadcast radio music. The schedule for this music and radio stations is posted in the module. A wide variety of music shall be available to meet the tastes of the majority of the inmate populations.

Television viewing shall be a privilege provided in the dayroom of each general population module during normal dayroom times. The module officer shall determine the channel selected for viewing and the television volume. Radio broadcasts and televisions shall be turned off at 10:00 p.m. unless the behaviors of the inmates in the module cause the privilege(s) to be turned off earlier.

➤ **Dayroom Schedule**

The times that your module's dayroom may be utilized by inmates shall be posted in the module. Dayroom times may be divided among a module's population of inmates to maintain safety and security and to allow each inmate a chance to participate in dayroom activities. During waking hours (generally 6:00 a.m. – 10:00 p.m.), the dayroom lights and cell lights shall be turned on.

Personal Hygiene and Appearance

➤ Personal Hygiene

You shall have the opportunity to shower on a daily basis when housed in a general population module. You shall ask permission from the module officer to use the shower. If you are assigned to module C, D, E, F, G, or T, you shall utilize the shower on the tier to which you are assigned. Shower times shall be as posted in the module, and you shall follow the directions of staff regarding the duration of your shower. You shall shower a minimum of once a week or more frequently as directed by staff.

Personal hygiene items shall be distributed only after the breakfast and dinner meals. Hygiene distribution will be announced over the intercom system. If you do not get items at a designated distribution time, you must wait until the next designated time. These shall include toothpaste, toothbrush, and soap. You shall brush your teeth a minimum of once a day. Items such as toothpaste, toothbrush, soap, and toilet paper shall be distributed to you only on a one for one exchange basis (e.g., empty tube of toothpaste for full one; empty roll of toilet paper for full one, etc.).

You shall be required to maintain a reasonable fingernail length. You may be required to cut your fingernails if an officer determines the length of them may become a safety issue. You may request access to fingernail clippers from the module officer.

➤ Razors

In most general population modules, the module officer shall issue you a razor for shaving three times a week in the morning. The razor shall be returned to the module officer as directed and shall be inspected to ensure the blade and blade cover is intact. If you are assigned to a module that houses Close Observation and Suicide Watch inmates, you will be allowed to utilize a razor only under staff supervision and directions. If you have a special circumstance, such as a jury trial, for which you want to shave on a day other than those scheduled, you may request to do so by submitting an Inmate Request to Staff Form to the daytime shift supervisor. Work crew inmates and inmates in the Inmate Work Program that reside in the Shawnee County Corrections Annex shall have the opportunity to shave daily. Inmates in the Inmate Work Program may purchase disposable razors at authorized locations and store the razors at the officer's workstation.

➤ Haircuts

If you would like your hair cut, you may request to have a licensed barber/cosmetologist cut your hair in the facility's barbershop. You may request this by submitting an Inmate Request to Staff Form to the Programs Department. You will need to have money in your account before completing the request. Barbershop hours and prices shall be as posted in the module. The barbershop provides a basic haircut and trims only. There shall be no permanents, hair coloring, tinting, braiding, or dyeing of any kind. ICE detainees shall not be charged a fee for professional barber services.

You may also check out hair clippers from the module officer to cut your own hair or to allow another inmate in the module to do so. There shall be no words, numbers, symbols or gang signs

of any kind cut into your hair. There shall be no razors used for haircuts. You shall ensure the hair clippers are cleaned and disinfected before and after each use.

If you are sentenced to a state facility, you shall be required to remove any braids prior to being released.

Sanitation and Appearance of Your Cell

An officer has the right to inspect and/or search your cell at any time. You shall keep your cell clean at all times. The following actions shall be completed on a daily basis:

- the floor shall be swept;
- the trashcan shall be emptied;
- the sink, mirror, and toilet shall be cleaned;
- property shall be arranged neatly; and
- the bed shall be made as instructed.

Unless you are a night trusty participant who must sleep during the day, your bed shall be made prior to the dayroom opening, typically following the morning meal, and shall remain made throughout the day whether you are in or out of your cell. The sheets and blanket shall be smooth and tucked under the mattress. A photo of a properly made bed shall be posted on the module kiosk for your guidance.

The following actions shall be completed on at least a weekly basis:

- The floor shall be mopped; and
- The linens changed.

You shall be held accountable for any damage to your assigned cell and/or the furniture in the cell. Module officers will inspect each cell prior to making a cell assignment and will document any damage. When you are released from the facility or relocated to another cell, the module officer will inspect your cell and compare its status at the time of your release with the previous inspection. You shall be subject to disciplinary action if any damage is discovered.

Other Rules for Cells

- No trash or other inappropriate item shall be thrown in the toilet. Only toilet paper shall be flushed down the toilet.
- Nothing shall be placed on the walls or in the window of your cell.
- Nothing shall be stored on the floor of your cell except your shoes.
- No blanket, towel, sheet, or other linen shall be placed on the floor.
- You shall not drape, hang, or place any item in your cell so that it blocks light, ventilation, or the officer's view of you or another inmate for any reason.

- Nothing shall be stored underneath a mattress.
- You shall treat your mattress appropriately to prevent tears or cuts on the mattress.
- You shall never write, draw, scratch, engrave, carve or in any way mark on any surface, including furniture and walls, in the facility.
- You shall not tape, pin, stick, or otherwise post any item on walls, desks, shelves, bunks, windows, mirrors, light, or other property.
- You shall keep your personal items neat and orderly.
- Your eating utensils, plastic cup, and toothbrush shall be kept in plain sight at all times in your cell.
- You shall not talk through your vent to other inmates.
- You shall only use one mattress and leave any extra mattresses on the assigned bunks, unless you have a medical slip approving the use of multiple mattresses.

➤ **Cleaning Supplies**

Cleaning supplies shall be provided to each module daily. If you need cleaning supplies, let the module officer know what you need, and he/she will provide it for you. You shall utilize only the amount of cleaning substance necessary and shall not waste cleaning products. You are prohibited from storing cleaning supplies in your room (e.g., putting dish soap in a shampoo bottle). When you return the item(s) used, be sure that you return it to the officer. You shall clean and empty the mop bucket and properly hang the mop if used.

Programs

➤ **Mental Health**

The Detention Center recognizes the importance of supporting sound mental health. Mental health resources will be available to you when you encounter problems. It is important that you reach out to others when times become stressful. Staff shall be a continuous resource for you, and mental health professionals shall also be available.

If you know you are suffering from mental illness or believe you are experiencing a severe mental health problem, the department wants to provide you the support and help you need.

To access mental health services, you need to fill out a Medical Request Form to the Mental Health Team Leader. Give a brief description of what you are feeling. Place your request form in the Medical Request Box in the module. If deemed appropriate, a member of the Mental Health Team shall come to the module to talk with you.

If the situation you are dealing with is so serious that you feel like hurting yourself, **immediately** contact the module officer and let him/her know. The officer will provide immediate assistance.

Suicide is the leading cause of death in adult jails. All staff and inmates have a responsibility to prevent suicide. If you are depressed and feel like harming yourself, please report these feelings to staff so that appropriate actions can be taken to assist you to feel better about yourself. What may seem impossible today will be different later, once you have had a chance to think more clearly and talk to a mental health professional about your problem.

If you have knowledge that another inmate is experiencing severe emotional difficulties that may cause him/her to attempt to commit suicide, you are obligated to report this situation immediately to the closest staff person. Staff will ensure that the inmate is provided an appropriate level of care so that the inmate will not succeed in his/her desire to kill himself or herself. Staff have to be aware that an inmate is thinking about suicide before they can help the inmate.

If you assist another inmate in any way to commit suicide, you will be held accountable internally and may be referred for appropriate prosecution to the District Attorney's Office.

➤ **Module Aides**

Inmates of each module shall be selected to serve as voluntary module aides for assignments within each module. These assignments prevent idleness, allow inmates to learn new skills, develop good ethics, reinforce positive behavior, and promote constructive activities.

When a module aide position becomes available, the module officer shall make an announcement. If you are interested in becoming a module aide, you shall submit a Module Aide Application Form to the module officer. Selection of module aides shall not be based on gender, color, race, religion, national origin, physical or mental handicap, age, or political affiliation. The module officer shall select a module aide based upon behavior, positive attitude, past history as a module aide, willingness to assist, and willingness to be a positive role model. Once selected, you shall keep your module aide position as long as you are meeting the above-mentioned criteria. If you fail to meet the above mentioned criteria, the module officer may relieve you of your module aide assignment.

Module aides shall be given monetary credit each week to spend in the commissary and must have five consecutive days of module aide status to earn the credit. The credit must be spent on the commissary order day and cannot be allowed to accumulate.

➤ **Facility Inmate Trusty Participants**

Inmates shall be selected to serve as facility trusty participants, on a voluntary basis, for trusty assignments within the facility. These assignments prevent idleness, allow inmates to learn new skills, develop good habits and ethics, reinforce positive behavior, and promote constructive activities.

If you want to participate in a facility trusty detail for assignment to the Laundry, Kitchen, Paint Crew, Housekeeping, Inmate Aide Program, Outside Inmate Crew, City Crew, or another detail, you shall submit an Inmate Request to Staff Form to the Programs Department.

Selection of participants shall not be based on sex, color, race, religion, national origin, physical or mental handicap, age, or political affiliation and will be determined by your attitude, behavior, performance history as an inmate trusty, willingness to serve, and the order of receipt of your request. You must pass a physical exam prior to being assigned to a facility work detail.

Outside crew participants shall be selected from facility inmate participants who have established a positive history, demonstrated an excellent ability to comply with orders and rules as provided by staff, and meet criminal history/nature of offense criteria. Inmates that have current or past convictions for violent or notorious crimes or have escaped or attempted to escape from custody shall not be assigned to outside crews.

➤ **Inmate Work Program**

You may be afforded the opportunity to work outside of the facility while you are serving your court-imposed sentence. The Programs Supervisor shall screen all inmates referred by the Court for placement in the Inmate Work Program. Participation in the Inmate Work Program is voluntary and only a Shawnee County District Court Judge or Topeka Municipal Court Judge shall authorize screening for placement. You shall initiate your potential placement in the Inmate Work Program through your defense attorney.

Your request shall be made to the referring Court for you to remain in the program for a minimum of sixty (60) days. A letter of acceptance or denial for the Inmate Work Program shall be forwarded to the sentencing Court following your screening by facility staff.

The following criteria shall be utilized to determine your suitability for placement in the Inmate Work Program:

- You shall be sentenced for a County misdemeanor or City offense at the time of screening. Some non-person felonies may be screened for the Inmate Work Program.
- You shall not have an extensive or violent/abusive criminal history.
- Your past and current institutional behavior will be considered, and you may be excluded for serious rule violations.
- You must have adequate past work experience and/or job skills.
- Your good performance as a facility inmate trusty will be considered.
- You will be required to have demonstrated satisfactory adjustment while on probation and/or while incarcerated.
- Your mental health must be stable with no untreated alcohol or drug addictions.
- You may be excluded for past involvement in gang or organized criminal activities.
- You may be excluded for a history of repeated failures to complete Court ordered programs.
- You will be excluded if you are considered a risk to public safety or potential discredit to the Inmate Work Program.

You shall not be denied access to the Inmate Work Program based on your sex, age, race, creed, handicap, political views, or religion. A waiting list shall be used for placement in the program when bed space is limited.

If you are approved for the Inmate Work Program, you shall be required to follow the program's rules and to pay a daily maintenance fee that helps to offset the cost of the program. The amount of fee assessed shall be based upon the amount of wages received. The facility is authorized by Kansas law to collect up to \$20.00 per day per inmate in the program.

➤ **Library**

You shall be provided reasonable access to the reading material maintained in the inmate library. Library staff and/or inmate assistants shall deliver a module library book box to each module based on an established schedule accessible by the module officer. The module library book box shall be left in the module vestibule for two (2) weeks (14 days) at a time. After you are finished reading a book, you may give the library book to the module officer. The module officer shall inspect the book for any damage prior to placing it in the module's library box to be picked up by the library staff. If you are transferred to a different module, you may either take your assigned library books with you or give them to the module officer. When you are being released from the facility, you shall give the library books to the module officer prior to leaving the module.

Library materials may be kept for two weeks (14 days) and must be returned before the module library book box is picked up by library staff. If you wish to keep a book longer, it must be inspected by the library staff for any damage and then it may be checked out for an additional two weeks. You shall not be allowed to check out a book for more than four weeks (28 days) in a row.

A limited number of books shall be available for checkout in each module to provide reading material for you between scheduled library services.

➤ **Law Library/Legal Materials**

You shall be provided access to legal research materials and document preparation materials as is necessary for the lawful pursuit of your rights under statutory and Constitutional mandates. The Law Library shall be available to any inmate not on disciplinary lockdown, close observation status, or other status that limits access to out-of-module activities. You may submit an Inmate Request to Staff Form to the Programs Department to use the Law Library or for access to specific legal information. Programs staff will retrieve legal documents (e.g., laws or known case citations) but will not do the research for you. Requests shall be considered based on stated purpose/need, deadline for filing documents, and available time slots. Access times shall be posted in each module.

Through the Law Library, you shall be provided with access to legal research materials that you may reasonably be expected to need for the preparation of criminal and civil legal matters, including:

- Federal and State constitutions;
- Constitutional case law;

- Federal criminal code (Title 18 U.S. Code);
- State criminal statutes;
- Statutory case law;
- Procedural rules and decisions;
- Court rules and practice treatises; and
- Other periodicals and indices.

Programs staff shall provide inmates in segregation housing print-outs of legal information as requested. Legal materials may **NOT** be removed from the Law Library, and any damage to or theft of legal materials may result in your prosecution and/or disciplinary action.

ICE detainees not on disciplinary lockdown, close observation, or other status that limits out-of-module activities shall be allowed five (5) law library visits per week with a maximum of one (1) hour per visit. If necessary, an ICE detainee shall be permitted to have another detainee assist him/her with researching and preparing legal documents.

➤ **Educational Programs**

Educational programs shall be provided as resources allow and scheduled according to the information posted in the module kiosk.

➤ **Substance Abuse Programs**

Alcoholics and Narcotics Anonymous meetings shall be held periodically. The times and locations shall be posted in the appropriate modules. Chemical addiction information may be requested through the Programs Department. Substance abuse counseling/treatment may be provided as resources allow. Substance abuse treatment programs offered and the criteria and methods for application shall be posted in the modules. You may be required to pay for all or a portion of the cost of treatment.

➤ **Veterans Affairs**

A Veterans Affairs (VA) liaison is available to assist veterans with enrollment and concerns regarding VA benefits. If you are a veteran and not currently enrolled with the VA, you may submit an Inmate Request to Staff Form to the Programs Division Manager to request contact with the VA liaison.

➤ **Marriage Requests**

If you want to be married and you are not an ICE detainee or strictly a Federal inmate, you and/or your fiancé shall contact a County judge who, in turn, will contact the Programs Department. Any marriage that poses a present threat to the public, staff, inmate and/or the security of the facility shall be denied. In your request, you must identify every charge currently pending against you in any court. Without this information, your request cannot be processed. This information will allow the department to ensure that the wedding is not in conflict with pending legal restrictions.

If approved, your wedding ceremony shall be conducted under the authority of the Third Judicial District Court. Except when otherwise ordered by the Court, a district court judge shall perform

the ceremony. The programs officer shall coordinate with the officiating judge's staff to schedule the ceremony. Your intended spouse shall be responsible for the cost of the marriage ceremony.

If you want to be married and you are scheduled to be released to the community within ninety (90) days, you may be directed to postpone your wedding until after your release date.

The following guidelines shall be followed for all marriage ceremonies:

- Ceremonies shall be held between the hours of 8:00 a.m. - 5:00 p.m., Monday through Friday only.
- You shall not marry anyone who is younger than eighteen (18) years old, unless the consents required by Kansas law have been obtained.
- The proposed spouse shall present official identification as proof of age.
- No children under the age of eighteen (18) shall be allowed to participate.
- No wedding ceremony shall be performed between two inmates.
- No wedding ceremony shall be performed which would require violating a protection order. If the inmate or the proposed spouse has a protection order against the other, the marriage shall not be allowed. No witness shall be allowed who has a protection order against either of the proposed spouses or another witness, or against whom either of the proposed spouses or another witness has a protection order.
- Only two (2) witnesses shall be allowed.
- You shall be fully dressed in a jail-supplied jumpsuit.
- The visitation dress code shall be followed for your proposed spouse and witnesses.
- No ring exchange shall be allowed.
- No photographs shall be allowed.
- You and your new spouse may embrace and kiss once after being pronounced married, unless current safety or security concerns require us to prohibit this activity.

If you want to be married and you are an ICE detainee, you shall provide written documentation to the Director that is signed by you and your intended spouse that requests for the two of you to be married. The Director or his/her designee shall notify the ICE Field Director of the marriage request. If the marriage request is approved by the ICE Field Director, the department Director or his/her designee shall provide a place and time for the wedding arrangements to be made. If the marriage request is denied, the Director or his/her designee shall state the reason for the decision and provide a written response to the ICE detainee and the ICE detainee's legal representative regarding the marriage request.

If you want to be married and you are strictly a Federal inmate, you must wait until you go to the Federal prison system to get married. If you are here on State charges and have a Federal hold, you and/or your fiancé shall contact a County judge to request to be married.

Out-of-Module Programs

You shall not be allowed to participate in out-of-module programming if you are assigned to the facility as a hold for the Federal government, either the Federal Marshal or Immigration and Customs Enforcement, you have a pending disciplinary hearing, or if you are currently restricted for disciplinary or security reasons. If you are in a trusty position, you shall be allowed to

continue to work your assigned trusty position pending the outcome of a disciplinary hearing unless your behavior jeopardizes the safety and security of the facility.

Emergencies

➤ Severe Weather

The facility maintains a weather watch radio and has procedures for tornadoes and other severe weather that shall provide for inmate safety should potential danger arise. As an inmate, you shall be informed if the Weather Bureau announces a severe weather/tornado warning. At that time, the module officer will direct you to go to your cell and take shelter under the bed, covering up with your mattress. If you are unable to fit under your bed, you shall lie against an interior wall of your cell and cover yourself with your mattress. You must follow instructions given by the module officer without delay. You must practice these measures promptly as directed during severe weather drills. If you are housed in the Shawnee County Corrections Annex, you shall follow the evacuation routes posted and directions of staff.

➤ Fires

During a fire drill or actual fire in the jail, you shall follow the fire evacuation routes as posted and as directed by staff. When directed to evacuate, you shall move as quickly as possible. If you are in your cell when the fire alarms sound, you shall immediately come to your door, wait for instructions, and be ready to exit your cell. It is very important that you follow the orders of any officer(s) in this situation.

➤ Other Emergencies

There may be other types of emergencies that arise that are not described herein. You shall always follow the directions of staff immediately during any emergency.

Detention Facility Security

Searches

Staff may search you, your property, and/or your assigned cell at anytime. You shall comply with staff directions for the type of search being conducted. An officer of the same gender as you shall conduct any strip search deemed necessary in an area and manner that will not cause you embarrassment. You shall undergo a strip search after each contact visit unless the visitor is an approved law enforcement official. ICE detainees who do not want to undergo a strip search after a legal visit may choose to visit with his/her legal representative in a private, non contact setting. You may be required to comply with a body cavity search upon reasonable belief by staff that you are carrying contraband. Body cavity searches shall be conducted by trained medical staff in a private location.

Headcounts

Inmate headcounts shall be conducted at both scheduled and random time frames. You shall follow the instructions of staff during the headcount process. You shall stand by your bunk for a standing identification headcount. Scheduled inmate headcounts shall be conducted at 0630, 1200, 1420, 2000, 2230, and 0530 hours. You shall not interfere with or delay the headcount process.

Contraband

Contraband shall be defined as any item not issued by the facility, sold through the commissary, or specifically authorized or permitted for use or possession in the facility. Contraband shall also be defined as any item that, although authorized, is misused or not used as originally intended (e.g., pop bottle containing water or other fluid; toilet paper, plastic, thread, etc. used to create other objects). Introduction of contraband into a penal facility is considered a criminal offense.

Dangerous Contraband is defined as any item which is inherently capable of causing serious damage to persons or property, is capable of producing or precipitating dangerous situations or conflict, and is not issued by the facility, sold through the commissary, or specifically authorized or permitted for use or possession in the facility. It shall also be defined as any item that can be the basis for a felony charge for its possession under the laws of Kansas or the United States; or any item that, although authorized, is misused and in its misused form has the characteristics of being able to cause serious damage to persons or property.

Less Dangerous Contraband is defined as any item that is moderately dangerous in the facility environment and is not issued by the facility, sold in the commissary, or specifically authorized for use or possession in the facility. It is also defined as any item that, although authorized, is misused or not used for its originally intended purpose.

You shall not possess, hold, sell, transfer, receive, control, distribute, or solicit any type of contraband. Contraband shall be confiscated by staff and may be forfeited by you at the discretion of the disciplinary hearing officer.

Inmate Drug and Alcohol Testing

The use and/or possession of alcohol, illegal drugs, and/or any unauthorized, intoxicating beverage or substance is strictly prohibited while you are in the custody of the Adult Detention Center. Drug and/or alcohol use presents a threat to the safety of staff and inmates, as well as the security of the facility. You shall complete each drug or alcohol test ordered, as instructed by staff.

Drug/alcohol testing may be ordered on a random basis, according to a computer-generated random list, or when you:

- are participating in a substance abuse program;
- are leaving or returning from authorized, unescorted leave;
- are suspected of drug or alcohol use;

- are assigned to the Inmate Work Program or other work program that allows for work outside the facility or the unsecured areas of the facility; or
- are involved in a serious altercation or disruptive action.

Protective Custody

If at any time you believe that you are in danger of being physically harmed by another inmate(s), you shall let a staff member know immediately so that action can be taken to protect you. Staff will investigate the situation and determine the most appropriate action to take. You may be placed in protective custody in administrative segregation if necessary.

Sexual Abuse/Assault/Harassment

The department is committed to enforcing the Prison Rape Elimination Act of 2003 and providing a safe and secure environment for all inmates, which includes zero-tolerance for sexual abuse/assaults and harassment. Forced and/or pressured sexual interactions by other inmates or employees are among the most serious threats to inmate safety and facility order. Victims of forced and/or pressured sexual acts may suffer severe physical and psychological harm and could be infected with a life-threatening disease.

You shall receive initial education and training regarding the department's zero-tolerance policy for sexual abuse, assault, harassment and how to report allegations of sexual abuse/assault/harassment upon admission to the facility. You will receive additional information and education on the prevention and intervention of sexual abuse/assault/harassment orally, in writing, and/or by video within ten (10) days of admission to the facility. You must acknowledge that you received this additional information and education when you log onto the module kiosk for the first time in order to have full access to the kiosk system.

Immediately report sexual abuse/assault/harassment and/or a threat of sexual abuse/assault to a staff member or volunteer. You may also make an anonymous report by calling (785) 847-5463. The department will manage the situation in a confidential manner and provide protection for the alleged victim.

Officer Misconduct

The Shawnee County Department of Corrections has an Intelligence and Investigation Division to investigate claims of officer misconduct, and we strongly encourage you to report any such misconduct to our internal division.

If you are an ICE detainee, you are provided the opportunity to file a complaint about officer misconduct directly with the Department of Homeland Security. However, you are strongly encouraged to report officer misconduct to the Shawnee County Intelligence and Investigation Division. If you wish to directly contact the Department of Homeland Security, you may do so by calling the number listed below or writing to the address below.

Department of Homeland Security Office of Inspector General (800)323-8603
Department of Homeland Security
Washington, DC 20528
Attn: Office of Inspector General, Hotline

Other General Rules

1. You shall obey the orders of staff at all times.
2. You shall speak to others in a normal speaking voice, without yelling or the use of profanity.
3. You shall conduct yourself in an orderly, non-disruptive manner.
4. You shall be prohibited from any type of horseplay.
5. You shall ask permission to go to the kitchen, take a shower, use the outdoor court, or use the telephone.
6. You shall be required to walk in a single file line on the right side of the hallways when being escorted to and from appointments, medical clinic, gymnasium, and any other destination and refrain from talking to other inmates.
7. You shall be required to maintain the cleanliness of your own cell and to assist with the cleanliness of the module.
8. You shall place all trash in proper containers, not on the floor.
9. You shall not spit or otherwise expel body wastes except within your assigned toilet and lavatory.
10. You shall be prohibited from smoking and from the possession of any tobacco product or any material that may cause a flame or spark.
11. You shall not destroy, damage, or deface any facility property.
12. You shall be prohibited from the flashing, speaking, or writing of gang signs and language. You shall not possess any item that is gang related.
13. You shall not sit on tables or desktops.
14. You shall not place your feet on or stand on a wall, toilet, lavatory, table, stool, chair, desk, or any type of furniture.
15. You shall proceed to your cell immediately when directed to do so.
16. You shall not alter or decorate any facility issued property including but not limited to clothing, linens, and shoes.
17. You shall not congregate by the module door, officer workstation, on stairways, on cell walkways, or in the cells of other inmates.
18. You shall not enter any other cell but the one to which you are assigned.
19. You shall not sit or lie on any bed other than the one to which you are assigned.
20. You shall not sit or lie on the floor.
21. You shall not toss, pass, or slide any item in your possession into another inmate's possession or cell.
22. You shall not stand on any mattress or bunk.
23. You shall not prop your cell door open in any manner except for a brief period as you are cleaning the floor of your cell.
24. You shall report any item that is broken or not working properly to an officer.
25. You shall utilize the intercom inside your assigned cell only as necessary for a legitimate request to staff, for emergency purposes, or to respond to a staff call.
26. You shall not tamper with or cover any locking device, intercom box, or electrical outlet.

27. You shall not take any commissary item with you when leaving the module for work details, programs, or other appointments. You shall be allowed to take a cup of coffee with you during your work detail.
28. You shall utilize and/or consume commissary items inside your assigned module.
29. You shall read memorandums and orders posted on the module kiosks frequently.
30. You shall be respectful to staff and visitors at all times.
31. You shall not attempt, by any means, to prevent staff from entering your cell.
32. You shall not take any food or drink to the visitation areas.

Cell Confinement

Cell Restriction

If you are given cell restriction as a disciplinary sanction, you shall be restricted to your cell with the door closed. You shall be permitted to: travel to and from the shower one time daily; travel to and from the medicine cart for medication call; participate in laundry/clothing exchange; travel to and from the module telephone for one completed telephone call daily in no more than two attempts; and participate in any assigned work detail. You shall also be allowed to go to the Medical Clinic as necessary and to outside Court appearances and medical appointments. An officer shall bring your meals to your cell, and you shall eat your meals inside the cell. When you are on cell restriction, you must have permission from an officer **before** you exit the cell. When traveling to and from authorized activities as listed herein, you shall move directly to and from the destination with no loitering.

Lockdown

Lockdown is when you are confined to your locked cell or designated area for a specific amount of time by the order of an officer. **When an officer orders you to lockdown, you shall go directly to your assigned cell or designated area promptly, without any hesitation.**

Emergency lockdown is when the entire facility is locked down for an emergency.

General lockdown is when an officer directs you to lockdown at scheduled times (during officer breaks, at the end of the day/night, etc.) and for special situations such as module shakedowns.

Early Lockdown

If you are given early lockdown as a disciplinary sanction, you shall be locked in your cell four (4) hours prior to the evening lockdown time. You shall remain locked inside your cell until the module's cell doors are unlocked the next morning. The only reason that you shall be allowed to leave your cell after lockdown is to proceed directly to and from the medical cart during evening medication pass.

Segregation

Segregation is defined as the placement of an inmate in confinement for punitive and non-punitive purposes.

➤ **Administrative Segregation**

Administrative segregation is utilized when your continued placement in the general population of the facility poses a threat to the security and safety of the facility. Reasons for your placement on administrative segregation status shall include any of the following:

- Protective custody (p.c.);
- Pending results of an investigation;
- Pre-hearing detention;
- Communicable disease; and/or
- Security risk:
 - History of aggression;
 - Threat to others;
 - Consistent bad behavior;
 - Extreme risk of escape;
 - Holdovers; and/or
 - Other security risk.

You shall be provided written notice of the reason(s) you have been placed on administrative segregation within seventy-two (72) hours of your placement on that status. Reason(s) for placement on administrative segregation status shall be stated in sufficient detail to allow you to understand the reason(s) and to make a response to the written administrative segregation report. The Division Manager of Operations or his/her designee shall review the report within seventy-two (72) hours of your placement on that status.

➤ **Disciplinary Segregation**

You may be placed under disciplinary segregation only after a facility hearing officer has found you guilty of a specific offense following an impartial hearing and has given you the sanction of disciplinary segregation. You may be placed on disciplinary segregation for up to 60 days for one offense. This penalty is utilized for those inmates for whom other sanctions will not or have not adequately addressed misbehavior and whose continued presence in the general population causes a threat to the orderly and secure functioning of the facility.

Behavior Management System

Inmates in segregation shall be afforded an opportunity to participate in a Behavior Management System (BMS), which may assist in expediting the inmate's reintegration into general population.

The BMS shall be a three tier level system to which a segregation inmate can earn additional privileges based upon which level he/she is currently on.

- Level One
 - Segregation inmates on Level One shall have access to the following:
 - Two (2) visits per week;
 - One (1) phone call per week;
 - Bible or religious text;
 - Newspaper; and

- Recreation outside his/her cell five (5) times per week unless a security or safety issue exists.
 - Level Two
 - Segregation inmates on Level Two shall have access to the following:
 - Two (2) visits per week;
 - Three (3) phone calls per week;
 - Bible or religious text;
 - Newspaper;
 - Library privileges (one library book); and
 - Recreation outside his/her cell five (5) times per week unless a security or safety issue exists.
 - Level Three
 - Segregation inmates on Level Three shall have access to the following:
 - Two (2) visits per week;
 - Five (5) phone calls per week;
 - Bible or religious text;
 - Newspaper;
 - Library privileges (up to three library books);
 - Expanded commissary purchase up to ten (10) dollars and may include specific food items;
 - Recreation outside his/her cell six (6) times per week unless a security or safety issue exists; and
 - Good time credit toward disciplinary sanctions.
 - Good time credits shall be determined based upon the nature of the offense committed that placed the inmate on segregation status, the inmate's behavioral history, and any history of previous modifications.

Expectations for BMS

A segregation inmate shall have the opportunity to earn points each day by following all rules and demonstrating appropriate behavior. You shall have the opportunity to earn fifteen (15) points each day. You are required to earn a minimum of thirteen (13) points each day.

BMS Level Advancement

In order for a segregation inmate to advance a level in the BMS, the segregation inmate must receive a minimum of thirteen (13) points each day for seven (7) consecutive days.

Removal from Segregation Status

A segregation inmate may be removed from segregation status and returned to general population when he/she has earned a minimum of thirteen (13) points each day for seven (7) consecutive days on Level Three.

The Special Services Unit Supervisor shall make a recommendation whether or not to remove an inmate from segregation status the next business day following the inmate meeting the minimum requirements needed to complete Level Three of the BMS. The Special Services Unit Supervisor

shall utilize the following criteria to assist him/her in deciding whether or not an inmate should return to general population:

- The severity of the offense committed that placed the inmate on segregation status;
- The severity of any offense committed while the inmate was on segregation status;
- History of assaultive behavior;
- History of behavior with other inmates;
- Severity of charges; and
- Escape history.

Rules of Segregation

All facility rules shall apply to inmates in administrative and disciplinary segregation unless specified otherwise for segregation.

Rules that shall specifically apply to segregation status inmates, whether housed in Special Housing or Medical Module, are:

Exercise - You shall be afforded the opportunity for exercise one (1) hour each day, five (5) days per week. You are expected to leave your cell and go directly to the exercise area. Socializing, disruptive behavior, returning to your cell prior to one hour, and safety/security issues shall cause you to forfeit your exercise period. If you have received a disciplinary sanction restricting your access to the exercise area, you shall be provided an in-cell exercise program so you can continue physical exercise during the restricted period. Additional exercise opportunities may be earned in accordance with the BMS.

Meals - You shall eat your meals in your cell. No meal items shall be kept in your cell. Special meals may be provided for security purposes.

Movement - You shall comply with the directives of staff for restraint purposes whether inside or outside the module.

Showers - Showers and razors shall be available to you three (3) times per week unless security concerns dictate otherwise. You shall utilize the shower on the same tier as your cell assignment, unless directed otherwise. You shall follow the orders of staff regarding the duration of your shower. You may wash your body at any time you are inside your cell by utilizing the water from your lavatory, soap, and towel.

Commissary - You shall be allowed to make commissary purchases on a weekly basis unless specifically restricted from the privilege. Some commissary items shall be restricted from segregation inmates for safety and security reasons. You shall be allowed to purchase and/or possess basic personal hygiene items, unless the item is by nature too dangerous for a segregation unit or the item is dangerous. You shall not be allowed to purchase lotion, oils, and/or creams unless approved by the Director or the medical provider's physician. An expanded commissary selection shall be made available to segregation inmates in accordance with the BMS.

Mail - You may write and receive letters on the same basis as inmates in general population when you are on segregation status.

Telephone - The use of the telephone on administrative segregation status is restricted only by the segregation unit's schedule or as specified by a disciplinary sanction or security concern. Use of the telephone while on disciplinary segregation shall be prohibited, unless it is a privilege earned through the BMS. If you need to make a phone call for a family emergency or for an urgent legal matter while on this status, you must complete an Inmate Request to Staff Form and submit it to the Operations Division Manager.

Cell confinement – You shall be expected to maintain appropriate behavior while confined to your cell. You shall not cover your light or window at anytime. If you fail to comply with this directive you shall be subject to disciplinary action. Cell lights shall remain on from 6 a.m. through 10 p.m..

Personal property - For safety and security reasons, some items of personal property may be restricted from the segregation unit. Personal property shall be restricted while you are on disciplinary segregation.

Visitation - You shall be afforded visitation unless substantial reasons exist for denial of such visits.

Reading material - You shall have access to Law Library materials and other books by submitting a Inmate Request to Staff Form to the Programs Department.

Religious guidance - You shall have the opportunity to meet with the facility's chaplain or another religious leader as requested and arranged through the Chaplain. You must submit a written Inmate Request to Staff form to the Chaplain to request this guidance.

Mental health/Counseling services – You may request mental health counseling and/or treatment through a written Medical Request Form to Mental Health.

If you are on administrative segregation status or protective custody, you shall be provided access to additional programs and services such as education and recreational services. Such services will be provided on the unit in accordance with the security concerns of the unit and may be requested on an Inmate Request to Staff Form to the facility's Programs Department.

Compliance with Rules and Regulations

You are expected to follow the rules of this facility, even when you are outside of the facility for court appearances, medical appointments, work details, etc. If you fail to comply with facility rules and directives, you shall be subject to the facility's disciplinary processes.

Rule violations or "offenses" are separated into three different categories: I, II, and III. Category I offenses are considered the most serious and Category III offenses are the least serious. If you commit an act that is also covered by criminal law, your case may be referred to the District Attorney for potential filing of a criminal charge(s). The filing of criminal charges shall not prohibit the filing of internal disciplinary charges for the same offense.

Offenses and Penalties

➤ Category I Offenses:

- 1-01 Murder - To kill a person unlawfully and with premeditated malice.
- 1-02 Voluntary manslaughter - The intentional killing without malice of a person by another.
- 1-03 Involuntary manslaughter - The unintentional killing of a person by another, not done by choice or willingly.
- 1-04 Aggravated battery - Intentionally causing great bodily harm to another person.
- 1-05 Aggravated battery against a law enforcement or corrections officer - Same as above except to a law enforcement or corrections officer.
- 1-06 Battery - Intentionally or recklessly causing bodily harm to another person; or intentionally causing physical contact with another person when done in a rude, insulting, or angry manner.
- 1-07 Battery of a law enforcement or corrections officer - Same as above except to a law enforcement or corrections officer.
- 1-08 Aggravated assault - Assault committed with a weapon, while trying to conceal the person's identity or with intent to commit a felony.
- 1-09 Aggravated assault of a law enforcement or corrections officer - Same as above except to a law enforcement or corrections officer.
- 1-10 Assault - Intentionally placing another person in fear or suspicion of immediate bodily harm; a physical or verbal attack on a person.
- 1-11 Assault on a law enforcement or corrections officer - Same as above except to a law enforcement or corrections officer.
- 1-12 Rape - The crime of forcible sexual intercourse with a person who does not consent when the victim is overcome by force, is unconscious, or is incapable of giving consent due to mental deficiency or altered state.
- 1-13 Aggravated criminal sodomy - Committing any sexual act involving the sex organs of one person and the mouth or anus of another when it is by force or otherwise against the will of the other person.
- 1-14 Criminal threat – An expression or warning of intent to commit violence with intent to terrorize another.
- 1-15 Blackmail – The act of gaining anything of value by threatening to communicate accusations that would subject the person to public ridicule and contempt. The threat of exposing a past discreditable act or crime, or money paid to avoid exposure.
- 1-16 Arson – Knowingly damaging property that another person has interest in by fire or explosion.
- 1-17 Aggravated escape from custody – Escape or attempt to escape a holding institution when charged with or convicted of a felony.

- 1-18 Escape from custody – Escape or attempt to escape from custody while being held on a misdemeanor charge or conviction.
- 1-20 Aggravated sexual battery – Intentional touching of another person who does not consent with intent to satisfy sexual desires of the offender when the victim is overcome by force or fear, is unconscious, or is incapable of giving consent due to mental deficiency or altered state.
- 1-21 Possession of dangerous contraband – Possession of dangerous contraband that includes but is not limited to firearm, knife, unauthorized sharpened instrument, smoking material, drugs, or drug paraphernalia.
- 1-22 Participation in riots, work strikes, or mutinous disturbances - Engaging in any activity with others that severely disrupts the normal routine and orderly operation of the facility.
- 1-23 Incitement to riot – To provoke into action a wild, massive, or turbulent disturbance that will produce a clear danger of injury to persons or property or breach the public peace.
- 1-24 Possession of escape paraphernalia – Possession of any item a person can use to conduct or aid in an escape.
- 1-25 Kidnapping – The taking or confining of any person by force or threat with the intent to hold such person for ransom or as a shield or hostage.
- 1-26 Bribery – Giving or promising to give to a public officer or employee any benefit to which the person is not legally entitled with intent to influence the person in the performance of the person’s duties.
- 1-27 Theft – Taking of property belonging to another person without permission with the intent to deprive the owner permanently of the possession of the property. Theft is also the taking of property from another person by deception, threat, or obtaining control over stolen property knowing the property has been stolen by another.
- 1-28 Tampering with locking devices – To change, meddle with, or alter locking devices.
- 1-29 Counterfeiting of any government document or official paper – To closely imitate or copy with intent to deceive for the benefit of the offender.
- 1-30 Criminal damage to property – Intentionally damaging or destroying the property in which another person has an interest without the consent of the other person.
- 1-31 Assisting suicide – Intentionally advising, encouraging, or assisting another in the taking of the other’s life that results in a suicide or attempted suicide; failing to report to staff knowledge of another inmate’s intent to commit suicide.
- 1-32 Consumption or use of an illegal or unauthorized substance – To have utilized and currently be under the influence of an illegal/unauthorized substance; to have utilized an illegal/unauthorized substance that causes a positive reading on a facility authorized test for the substance.
- 1-33 Tampering with ventilation, plumbing, electrical, or communication

systems or devices – The act of altering, destroying, stopping, or redirection of any of the above systems.

- 1-34 Attempt to commit any of the above offenses or assist others to commit any of the above acts.
- 1-35 Any violation of state, local, or federal law not covered above.
- 1-36 Repeated violation of Category II offense – Breaking three or more rules listed under the same category within a thirty day period. The individual rules do not have to be exactly the same, only under the same category.
- 1-37 Sexual harassment – Repeated and unwelcomed sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature.
- 1-38 Introduction of contraband – Introducing or conspiring to introduce contraband into the facility.

➤ **Category I Sanctions:**

The hearing officer may impose any or all of the following:

- Disciplinary segregation for up to 60 days per offense
- Restitution
- Loss of any or all of the following privileges for up to 60 days per offense:
 - Telephone
 - Commissary
 - Consideration for in-house work programs
 - Special programs consideration
 - Gymnasium/outdoor court/exercise area
 - Dayroom recreation (television, games, etc.)
 - Radio
- Fine
 - Fine in increments of dollars up to a maximum \$10.00 fine per offense
- Cell restriction up to fourteen (14) days per offense
- Early lockdown up to twenty-one (21) days per offense

Note: The maximum sanction for rule violations is no more than 60 days for all offenses arising out of one incident.

➤ **Category II Offenses:**

- 2-01 Fighting – Any physical encounter between two or more individuals. Any physical activity that could lead to violence or injury to an individual.
- 2-02 Familiarity – Soliciting, encouraging, or participating in any personal relationship with a staff member, contract personnel, or volunteer.
- 2-03 Sexuality – Sexual encounter of any kind between inmates when the act is consensual on the part of all parties involved.

- 2-04 Indecent exposure – The act of not being fully clothed and exposing one or more private portions of the body.
- 2-05 Misuse of authorized medication – Any use or hoarding of authorized medication other than the approved method ordered by the facility’s medical staff or correctional staff, including passing of medication to another inmate or possession/use of a medication other than the inmate’s own.
- 2-06 Possession or manufacture of unauthorized beverage or substance – The making or possession of any beverage or other substance not approved or issued by the facility’s staff.
- 2-07 Unauthorized area – Being present in any area of the facility that has not been specifically approved by facility staff.
- 2-08 Disobeying a direct written or verbal order from facility staff – Failing to promptly and respectfully obey any order, directive, or instruction given by any employee of the facility or an employee of another agency that is in charge of the inmate. In the case of conflicting orders, the last order shall be obeyed.
- 2-09 Lying – Lying, misrepresenting the facts, or giving false or misleading information.
- 2-10 Violation of visiting regulations – Violating any of the rules regarding visitation.
- 2-11 Tattooing – Any actual or attempted tattooing of self or another individual.
- 2-12 Disorderly conduct – Any conduct that disrupts the safe and secure operation of the facility.
- 2-13 Gang activity – Using gang signs, written language, verbal language, or actions or possessing any materials that refer to gangs or their languages or actions.
- 2-14 Fouling count – Any act committed by an inmate that delays a headcount or results in a miscount.
- 2-15 Failure to lockdown – Deliberately refusing a verbal directive by facility staff to lockdown.
- 2-16 Officer workstation – Touching the equipment on or being behind the officer workstation.
- 2-17 Avoiding staff – Running or deliberately avoiding any staff member if ordered, required, or requested to be present to talk with, be accounted for, be searched, or be questioned by a staff member.
- 2-18 Entering into contract, incurring financial obligation – Entering into a contract, or incurring any financial obligation, including an order by mail, without supervisory approval.
- 2-19 Unexcused absence from work or programs – Failing to report for an assigned work detail or program without authorization for the absence.
- 2-20 Gambling – Making any bet, operating or banking any gambling pool or game, keeping book, or engaging in any form of gambling. To possess, transfer, sell, or obtain any dice or other gambling paraphernalia.

- 2-21 Obscenity – Possessing any obscene or pornographic writing, picture, item, or device or writing or drawing anything of an obscene nature.
- 2-22 Possession of less dangerous contraband – Possession of any item that is moderately dangerous in the facility environment and is not issued by the facility, sold in the commissary, or specifically authorized for use or possession in the facility; any item that, although authorized, is misused or not used for its originally intended purpose.
- 2-23 Use of unauthorized beverage or substance – Being under the influence of or having consumed or injected an unauthorized but not illegal substance since being in the custody of the facility. This shall include the use of an unauthorized beverage or other substance such as but not limited to alcohol, unauthorized vitamins or supplements, steroids, etc.
- 2-24 Circumventing facility rule – Any act that purposefully goes around or is meant to not conform to a rule(s) of the facility (e.g., mailing a letter to a friend in the community to have the friend send the letter to another inmate in the facility).
- 2-25 Lewd acts or behavior – Masturbation, lewd exhibition of the genitals, or other act of a sexual nature that is intended to produce fear or hurt or offend another.
- 2-26 Interference with restraints – Interfering with or assisting other inmates in interfering in any way with handcuffs or other restraints applied by correctional staff.
- 2-27 Organizing of inmates – Organizing or attempting to organize inmates to unify their complaints or requests as by petitions, etc.
- 2-28 Insolence towards staff – Being insolent or disrespectful towards staff or volunteers.
- 2-29 Falsifying document – Falsifying a document to staff or outside officials.
- 2-30 Destruction of issued property – The destruction of jail issued property including but not limited to clothing, linens, sandals, and mattress by any means other than through normal wear.
- 2-31 Attempt or assistance to violate Category II offense – Attempting to or assisting another to violate a Category II offense.
- 2-32 Repeated violation of Category III offense – Breaking three or more rules listed under the same category within a thirty day period. The individual rules do not have to be exactly the same, only under the same category.
- 2-33 Taking without permission – Taking without permission, regardless of the intent, an article of any kind from any person or place or to obtain the articles by fraud or dishonesty.
- 2-34 Bartering and/or exchange – Trading, borrowing, loaning, giving, receiving, selling, or buying goods, services, or any item with economic value between or among inmates.

➤ **Category II Sanctions:**

The hearing officer may impose any or all of the following sanctions:

- Disciplinary Segregation for up to 30 days per offense
- Restitution
- Loss of any or all of the following privileges for up to 30 days per offense:
 - Telephone
 - Commissary
 - Consideration for in-house work programs
 - Special programs consideration
 - Gymnasium/outdoor court/exercise area
 - Dayroom recreation (television, games, etc.)
 - Radio
- Fine
 - Fine in increments of dollars up to a maximum \$5.00 fine per offense
- Cell restriction up to ten (10) days per offense
- Early lockdown up to fourteen (14) days per offense

Note: The maximum sanction for rule violations is no more than 60 days for all offenses arising out of one incident.

➤ **Category III Offenses:**

- 3-01 Failure to maintain personal hygiene – Failing to maintain personal cleanliness.
- 3-02 Failure to maintain sanitary and orderly housing – Failing to maintain the cleanliness and orderliness of assigned cell, as directed by staff.
- 3-03 Use of profane or offensive language – The use of profanity or offensive language towards a staff member, visitor, volunteer, or another inmate; or the general use of profane language.
- 3-04 Failure to cooperate with the orderly function of the module – Failing to follow the rules of the module and perform functions as directed by staff.
- 3-05 Misuse or destruction of equipment and/or supplies – Misuse, loss, or destruction of equipment and/or supplies (e.g., the use of plastic bag for storage of ice or for use as a weight; the flushing of an item down the toilet; wasting or using toilet paper for unauthorized purposes).
- 3-06 Misbehavior – Horseplay or any behavior that is disruptive.
- 3-07 Tampering with module equipment – Tampering with or operating any of the equipment in the module without authorization. Includes misuse of the facility's intercom or call system.
- 3-08 Hanging of item – Hanging or attaching any item to the wall, ceiling, vent, door, window, or any other area of the cell or facility without staff authorization.

- 3-09 Trading food – Eating food from the trays of other inmates or giving food to other inmates.
- 3-10 Tampering/removal of wristband or badge – Altering or removing an identification wristband or badge.
- 3-11 Violation of telephone rules – Using the module telephone without the permission of the module officer or using the phone to contact someone not authorized. Using or sharing another inmate's pin number, pre-paid calling card, or phone call time.
- 3-12 Hoarding of jail issued or commissary item – Possession of any issued or commissary item in excess amounts.
- 3-13 Loitering – Standing or otherwise loitering on catwalks, walkways, in front of cell doors, or leaning on catwalk railings.
- 3-14 Throwing/tossing item – Throwing or tossing any item off the catwalk or elsewhere within the module.
- 3-15 Slow to lockdown – Failing to go promptly to your cell when instructed to do so.
- 3-16 Alias – Failure to use the inmate's commitment name on written documents, including letters, while incarcerated in the facility.
- 3-17 Inappropriate use of request or grievance form – Using request(s) to staff and/or grievance form(s) excessively to harass and inappropriately complain about issues or make frivolous complaints. Using any type of jail issued form for something other than its stated purpose.
- 3-18 Falsely claiming illness – Falsely claiming an illness to gain attention, visit the medical area, or to avoid work detail or program attendance.
- 3-19 Medical restriction – Violating a restriction ordered by medical staff (e.g., no basketball; no walking).
- 3-20 Bulletin boards – Tampering with or removing any item from a facility or module bulletin board or placing an item on a bulletin board without staff authorization.
- 3-21 Violation of any facility rule not specifically listed as an offense.

➤ **Category III Sanctions:**

The hearing officer may impose any or all of the following sanctions:

- Verbal reprimand
- Restitution
- Loss of any or all of the following privileges for up to fourteen (14) days per offense:

- Telephone
- Commissary
- Consideration for in-house work programs
- Special programs consideration
- Gymnasium/outdoor court/exercise area
- Dayroom recreation (television, games, etc.)
- Radio
- Fine
 - Fine in increments of dollars up to a maximum \$3.00 fine per offense
- Cell restriction up to seven (7) days per offense
- Early lockdown up to ten (10) days per offense

Note: The maximum sanction for rule violations is no more than 60 days for all offenses arising out of one incident.

Disciplinary Process

Settlement Agreement Process

The settlement agreement process may be used as an alternative to formal disciplinary charges by the reporting staff. Staff may initiate the settlement agreement process for resolution of alleged Category III offenses only. Staff may issue a settlement agreement charge or citation to you for your alleged violation of one or more Category III offenses. A settlement agreement citation may be issued as an alternative to a formal disciplinary report when it is believed by the staff member that the incident requires more than an undocumented, on-the-spot verbal reprimand. Once a settlement agreement has been offered to you, the staff cannot withdraw it. You may accept the settlement agreement offered or reject it and forward the citation for a hearing as a Category III Disciplinary Report. Settlement agreements shall not be placed in your master file or noted in your computer record.

The settlement agreement citation shall be written by the reporting officer and served to you within twenty-four (24) hours of the alleged incident. The citation shall include the following:

- the date and time of each alleged offense;
- the date and time the citation is written;
- the name and number of each alleged Category III offense;
- a brief statement of the facts of the alleged incident, including names of witnesses;
- the date and time that the citation is served on the inmate;
- the settlement agreement sanction; and
- the signature of the inmate indicating his/her acceptance or refusal of the settlement agreement.

Staff shall impose only **one** (one bulleted sanction) of the following settlement agreement sanctions regardless of the number of offenses listed on the citation:

- Written apology to the appropriate person;
- Restriction from two privileges (telephone, commissary, gymnasium, or radio) for up to seven (7) days (officer shall specify which privileges);
- A fine of \$2.00;
- Extra work in the module for up to two hours per day, not to exceed five (5) days;
- Cell restriction for up to two (2) days; or
- Early lockdown for up to five (5) days.

You may choose whether to accept the settlement agreement or to reject it in favor of the formal disciplinary hearing process. You will need to consider your potential to be convicted of the offense(s) in the formal process and the potential sanction(s) you may receive. If you are completely innocent of the charge(s), then you should probably not accept the agreement so that you will be heard by an impartial hearing officer. You must make your decision immediately when the officer presents the settlement agreement to you.

Acceptance of the settlement agreement sanction shall constitute a waiver of your right to the benefits of the formal disciplinary process. Upon acceptance of the settlement agreement, the sanction shall be immediately imposed. A copy of the agreement shall be forwarded to the shift supervisor, a copy shall be filed in the module for the implementation of the sanction, and a copy shall be given to you. Upon completion of your sanction, the module copy shall be forwarded to records but shall not be placed in your master file.

If you reject the settlement agreement in favor of the disciplinary hearing process, you must sign the citation indicating your refusal. The settlement agreement will then be attached to a Disciplinary Report Form and become a Class III disciplinary report. The report will then be forwarded to the shift supervisor for review. Disciplinary process time limits shall begin to run when the citation is reviewed and signed by the shift supervisor. Your refusal of a settlement agreement shall not result in more serious charges being leveled against you than were alleged in the settlement agreement citation.

Formal Disciplinary Process

➤ Disciplinary Report Form

A staff person shall initiate a written Disciplinary Report Form detailing the charges against you within 24 hours of the offense, discovery of the offense, or completion of an investigation. The Disciplinary Report Form shall be forwarded for review to a shift supervisor and approved or disapproved based on whether or not the report is sound, adequate, and made in proper manner and form. You shall be served the completed Disciplinary Report Form within forty-eight (48) hours of the alleged offense, discovery of the offense, or completion of an investigation.

The Disciplinary Report Form shall include the following information:

- the name and number of the inmate;
- the signature and title of the staff member writing the report;
- the date and time of the alleged offense;
- the date and time the report was written;

- the nature of the alleged offense;
- the category, title, and number of the offense violated;
- the names of known witnesses;
- a brief description of the circumstances and facts of the violation;
- any unusual inmate behavior;
- disposition of any physical evidence;
- any immediate action taken, including the use of force;
- the date and time the report is served; and
- the electronic signature of the staff member who served the report.

You shall receive a copy of the completed Disciplinary Report Form and the original shall be forwarded to the Disciplinary Hearing Coordinator. You shall be afforded the right to dispute the allegations in a due process hearing.

➤ **Pre-Hearing Detention**

If the shift supervisor deems it necessary, you may be placed in administrative segregation for pre-hearing detention following an alleged incident. This type of segregation may be utilized to protect the security of the inmate and/or the facility pending a due process hearing for an alleged violation and/or when an investigation of the alleged incident is necessary. If you are found guilty of a Category I or II offense, you may be sentenced to disciplinary segregation. Any time served in administrative segregation on pre-hearing detention prior to the disposition shall be credited to you as time served on disciplinary segregation. The Operations Division Manager or designee shall review the pre-hearing detention status of each inmate within 72 hours of detention (including weekends and holidays).

➤ **Disciplinary Hearing Notice**

The disciplinary hearing shall be held within seven (7) business days (excluding weekends and holidays) of the alleged violation, discovery of the violation, or completion of an investigation. You shall receive a Disciplinary Hearing Notice regarding the date and time of the hearing at least 24 hours prior to the hearing.

On this notice, you shall be allowed to list your requested witnesses, if any. The Disciplinary Hearing Coordinator will approve or disapprove your request(s). If a witness is disapproved, the Disciplinary Hearing Coordinator will state the reason for the disapproval on the form. The Disciplinary Hearing Coordinator may approve the submission of a written statement from the witness in lieu of verbal testimony.

On this same form, you may also indicate your desire for staff assistance. Staff assistance with your defense shall be granted when the Disciplinary Hearing Coordinator determines that you are incapable of collecting and presenting evidence on your own behalf. You will not be allowed the representation of another inmate, an attorney, or anyone other than a staff member specifically trained to assist with your representation. You will be notified by return of the form to you if a staff assistant has been assigned to your case.

You shall also have the ability to waive your right to a hearing and to waive the 24-hour notice provision. If you believe that you cannot formulate your defense by the date of the hearing, you

may request a continuance of the hearing on the notice of hearing. You must state your specific reason for needing the hearing to be continued. If the continuance is granted, you will be notified of the new hearing date and time. The Disciplinary Hearing Coordinator may also delay or continue a hearing for good reason but shall notify you in writing of the continuance and the reason for the delay. If staff observe or discover that you have committed an offense just prior to your discharge from the facility, an abbreviated disciplinary report and hearing process shall take place so that restitution may be assessed, if applicable and found guilty, prior to your departure and the clearing of your inmate account fund.

➤ **Disciplinary Hearing**

A trained, impartial hearing officer shall conduct the disciplinary hearing. During the disciplinary hearing, you will be required to enter a plea of guilty, not guilty, or no contest. If you enter a plea of guilty or no contest, the hearing officer shall proceed to the disposition phase. If you enter a plea of not guilty, the full hearing process shall proceed.

You will be given the opportunity to present your defense in person at the hearing as long as your behavior remains calm and appropriate. If your behavior during the hearing or recent behavior prior to the hearing prohibits your presence in the hearing, your absence will be documented and the hearing will be conducted as scheduled. When the hearing is completed, the hearing officer will proceed with a finding of guilt or innocence. The hearing officer's decision shall be based upon the information obtained and/or presented in the hearing process, including staff reports, your statements, and the evidence obtained from witnesses and documents. If you are found guilty, the hearing officer will proceed with a disposition. The disciplinary action taken shall not be capricious or retaliatory.

The hearing officer may decide to:

- dismiss the charge(s);
- sustain the charge(s) and impose a disciplinary sanction(s);
- modify the charge to a lesser charge and impose a disciplinary sanction(s) accordingly;
- or
- modify the charge(s) to a more severe charge(s) and impose a disciplinary sanction(s).

➤ **Disciplinary Hearing Record and Review**

The hearing officer shall complete a written record of the hearing and his/her findings. The record shall include a synopsis of the evidence; the reason requested evidence was not allowed or considered; the reason any evidence may have been determined to be confidential and inaccessible by the inmate; the conclusion of the hearing officer; and the justification for the conclusion, the final disposition, and disciplinary sanction(s).

The written disposition shall be forwarded to the Operations Division Manager for review and approval. The Operations Division Manager shall assure that the hearing and record were completed according to policy and regulations. The Operations Division Manager shall approve the hearing officer's disposition, disapprove the disposition and dismiss the case, or approve the decision and reduce the sanction.

You shall receive a copy of the written record within ten (10) business days (excluding weekends and holidays). The disciplinary report and hearing record shall be filed in your master file and in the Disciplinary Hearing Coordinator's records. If you have been sentenced to the Secretary of Corrections, a copy of the disciplinary report and hearing may be forwarded to the Secretary of Corrections. If the hearing officer finds you not guilty, all disciplinary reports associated with the case shall be removed from your master file (including your computer file) following the Operations Division Manager's approval of the finding.

➤ **Appeal of Decision and/or Sanction**

The decision and/or sanction approved by the Operations Division Manager may be appealed to the Deputy Director on an Inmate Request to Staff Form, stating the specific reason(s) for your appeal and the case number of your report. You must submit this appeal within ten (10) calendar days of your receipt of the written hearing record. The Deputy Director shall review your appeal and approve or disapprove within five (5) calendar days of receipt of the appeal. You shall be provided with a written copy of the Deputy Director's decision. The Deputy Director's decision shall be the final decision. If the hearing officer's decision is overruled and the Deputy Director dismisses the case, all written disciplinary records regarding that case shall be removed from your master file (including your computer file).

Grievance Process

There are 2 stages to the Grievance Process, 1. Informal Complaint Resolution and 2, Formal Grievance Process. **In order to exhaust the administrative remedies provided to you by the Shawnee County Department of Corrections, both stages must be fully completed.** There shall be no staff reprisal towards you for following the grievance process.

NOTE: You shall not use the grievance process as an appeal for the disciplinary process. The disciplinary process has its own appeal mechanism.

Stage 1: Informal Complaint Resolution

You shall always attempt to resolve a complaint or problem at the lowest level possible with the appropriate staff member before filing a grievance. First, you shall speak with the appropriate staff member(s) in person if possible. To the extent the issue has not been resolved to your satisfaction you may then submit an Inmate Request to Staff Form describing your problem. You shall file your Inmate Request to Staff form not later than ten (10) calendar days from the date giving rise to your concern. You shall utilize the staff chain of command during the informal resolution process.

Except in the case of an Emergency Grievance, the filing of an "Inmate Request to Staff Form" is required prior to initiating a Formal Grievance. Inmate Requests to Staff shall be responded to in writing by the appropriate staff member within five (5) calendar days of submission.

Stage 2: Formal Grievance

If you are not satisfied with the outcome of the Informal Complaint Resolution process, you may file a Formal Grievance. The Formal Grievance Process works as follows:

- You shall submit a grievance to the Operations Division Manager on an Inmate Grievance Form. You may obtain this form from your module officer. You shall file a written grievance within ten (10) calendar days of the completion of the Informal Complaint Resolution process. If you do not comply with the time restriction for filing your grievance, the grievance may be returned to you without investigation or further action.
 - NOTE: If you file a grievance for a sexual abuse/assault/harassment or staff misconduct issue, there is no time limit imposed on when the grievance may be submitted. However, due to time limitations on the availability of video and other evidence, we encourage you to file your grievance as soon as possible.
- In your grievance, you shall provide specific information concerning your reason(s) for filing the grievance. You shall be specific and include:
 - Names of staff through whom you have attempted to resolve the issue;
 - Specific description of your complaint including names of persons involved, date, location, etc.;
 - How you have been affected by the issue; and
 - Action that you believe should be taken to resolve the issue.

Your failure to provide all of the specific information required above will result in your grievance being returned to you without investigation or further action until such time as all of the specific information is provided.

- Once you have completed the grievance form, you shall attach the Inmate Request to Staff Forms that prove your attempt to resolve the issue(s) informally. You shall then place your completed grievance in the outgoing mailbox in your module. The facility's mail clerk will automatically route the grievance form to the Operations Division Manager or designee so that the grievance can be routed to the appropriate division manager. Your grievance will also be logged to ensure appropriate tracking of staff progress in providing responses.
- The appropriate Division Manager shall respond in writing to your grievance as soon as possible but within ten (10) business days of the manager's receipt of the grievance. The Division Manager shall state his/her decision and the reasons for the decision on the written response. If you are not satisfied with the Division Manager's response to your grievance, you may forward your grievance to the Deputy Director within three (3) days of your receipt of the Division Manager's response. If you are satisfied with the Division Manager's response, you shall check the appropriate line on the form to indicate your desire to stop the grievance process at this stage.
- The Deputy Director shall respond in writing to your grievance as soon as possible but within ten (10) business days of receipt of the grievance. The Deputy Director shall state his/her decision as well as the reason for the decision on the written response. The Deputy Director's decision shall be final.

- The original grievance shall be returned to you following the Deputy Director's written response. A copy of the grievance shall be filed with grievance records, and a copy shall be forwarded to your master file.
- If you submit repeated grievances for issues that have already been addressed, the Operations Division Manager shall inform you that the complaints have already been addressed and further consideration or action will not be considered.

Emergency Grievance Process

An emergency grievance may bypass the requirement of informal resolution. If you have a problem that you believe would cause a substantial risk of harm to yourself or others if the issue is not managed immediately, you may submit an emergency grievance directly to the Deputy Director. You shall ensure that the word "Emergency" is clearly written in large letters at the top of the grievance form. If staff discover that your grievance is not a true emergency, your grievance will be returned to you so that you may use the informal process. You may, however, be held accountable for intentionally providing false information in your complaint.