

# Bureau of Indian Affairs Office of Justice Services



## Division of Operations Corrections Handbook

**1st Edition**

(b) (7)(E)





United States Department of the Interior  
BUREAU OF INDIAN AFFAIRS

Office of Justice Services

Albuquerque, New Mexico 87103

IN REPLY REFER TO:

February 1, 2012

OJS SPECIAL ORDER 12-01

TO: ALL OJS CORRECTIONS PERSONNEL

SUBJECT: OJS CORRECTIONS HANDBOOK

After much review and input by OJS and Tribal Corrections personnel, the First Edition of the OJS Corrections Handbook is ready for publication and implementation. Implementation will include distribution to all OJS Corrections personnel and training on the Handbook contents.

The Directorate of Operations Corrections Handbook is effective immediately and replaces any and all previously issued policy documents, National Policy Memorandums, Interim Policies, etc. All previously issued documents are no longer in force. Corrections personnel will be held personally responsible for the contents of this Handbook following training and signed receipt of their copy of the Handbook.

All Handbook recipients will personally sign for their individual copy of the Handbook. Supervisors will not sign for any subordinate. Handbook training is mandatory for all Corrections personnel and will be documented. A training schedule will be forthcoming shortly.

This Handbook contains a number of standardized forms for use by Corrections facilities and personnel. These forms will be integrated into each facility's operation as soon as possible. Should form functionality be an issue, the Facility SCS will address the issues through the chain of command to the Chief of Corrections.

All Corrections managers and supervisors are directed to review directive C-V "Written Directive System" for direction on Handbook distribution and signature documentation.

Any question regarding the implementation of this Handbook should be immediately addressed through the chain of command to the Associate Director, Directorate of Operations.

BY ORDER OF:

DARREN A. CRUZAN  
DEPUTY DIRECTOR,  
BIA, OFFICE OF JUSTICE SERVICES

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Effective: 01/01/2012      Revised:  
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Effective: 01/01/2012  
BIA-Adult Detention Facility Guidelines December 2010

Revised:

BIA-ADULT DETENTION FACILITY  
GUIDELINES December 2010

## TABLE OF CONTENTS

Handbook Revisions and Additions Tracking Sheet  
Table of Contents  
Introduction-Responsibility of Personnel  
Forward

### I-A

#### ORGANIZATION- ROLES AND RESPONSIBILITIES

C-I	Office of Justice Services Mission-Guiding Principles
C-II	Statement of Organization
C-III	<i>Reserved for Future Use</i>
C-IV	Statutory Authority-Delegation of Authority-Chain of Command
7D-01 2A-19; 2A-20	C-V Written Directive System
	C-VI Separation of Adult and Juvenile Operations and Facilities

### I-B

#### PROFESSIONAL CONDUCT

	C1-01 Codes of Ethics and Conduct-Oath of Office
	C1-02 Discrimination, Sexual Harassment, Work Place Violence
4D-14	C1-03 Sexual Misconduct
	C1-05 Drug Testing
1A-11	C1-06 Personal Appearance and Hygiene
	C1-07 Physical Fitness-Health Examinations
	C1-08 <i>Reserved for Future Use</i>
	C1-09 Counseling and Psychological Services
	C1-10 Off-Duty Employment
-----	Compliance with Personnel Regulations    REFER TO 43 CFR Part 20
-----	Discipline and Adverse Actions                    See Dept. Manual 370 DM 752

### I-C

#### UNIFORMS, EQUIPMENT, AND VEHICLES

	C1-20 Uniform Standards
	C1-21 <i>Reserved for Future Use</i>
1B-01	C1-22 Vehicles
	C1-23 <i>Reserved for Future Use</i>
	C1-24 <i>Reserved for Future Use</i>
2D-01(M)	C1-25 Equipment and Tool Control
	C1-26 Key Control

Effective: 01/01/2012 Revised:  
 BIA-Adult Detention Facility Guidelines December 2010

## II-A FACILITIES

**C1-30 Facility Safety Guidelines**

- Automatic Fire Alarm and Sprinkler Detection System
- Fire Safety Inspections
- Code Compliance
- Environmental Conditions

1A-06, 07, 08, 09, 10; 1C-06(M); 2A-12

**Physical Plant** (Refer to Facilities Management-OFMC, Uniform Building Code, OSHA)

**C1-32 Receiving and Documenting Deliveries**

**C1-33 Facility Maintenance**

1A-02(M)  
 1A-03(M)  
 1A-04  
 1A-05(M)  
 1C-07(M)  
 1C-08

- Emergency Lighting Testing
- Emergency Power Generators
- Flammable, toxic, and Caustic Materials
- Housekeeping
- Pest Control
- Preventive Maintenance
- Routine and Emergency Repairs
- Safety and Sanitation
- Waste Disposal
- Water Supply

1A-01(M)  
 4A-01(M)  
 4A-02  
 4A-03(M)  
 4A-04(M)  
 4A-05(M)  
 4A-06

**C1-34 Food and Meal Services**

- Dietary Allowance
- Food Poisoning (EMP)
- Food Purchase and Accounting
- Food Service Staff
- Food Storage
- Food Utensil Control and Use
- Meal Costs
- Meal Delivery Service
- Meal Preparation
- Menu Planning
- Sanitation and Cleanliness Inspections
- Special Diets
- Staff Meal Service

**C1-35 *Reserved for Future Use***

## II-B FACILITY RECORDS, REPORTS, AND LOGS

----- Records Management and Retention (See BIA Records Retention Schedule)

**C1-51 Confidentiality and Release of Records**

7D-04

**C1-52 Inmate Records**

**C1-53 *Reserved for Future Use***

**C1-54 *Reserved for Future Use***

2B-05

**C1-55 Incident and Serious Incident Reporting (EMP)**

2A-08; 2A-10

**C1-56 Facility and Annual Reports**

**C1-57 *Reserved for Future Use***



Effective: 01/01/2012 Revised:  
 BIA-Adult Detention Facility Guidelines December 2010

### III SAFETY, SECURITY, AND EMERGENCY MANAGEMENT PLANS

	L2-01	OJS Use of Force	
2B-01(M); 2B-04; 7B-06(M)	C2-02	Use of Force in Detention Facilities	
2C-01; 2C-02, 03, 04	C2-03	Searches	
2B-02; 2B-03(M); 4D-12(M)	C2-04	Restraint of Inmates	
	C2-05	Response to Emergency Situations in Detention Facilities	
	C2-06	<i>Reserved for Future Use</i>	
2A-04	C2-07	Perimeter Security and Perimeter Checks	
2A-01	C2-08	Control Center and Door Control	
	C2-09	Bomb Threats/Bomb Emergencies	(EMP)
1C-01(M) 1C-02(M) 1C-03(M)	C2-10	Emergency Management Plans	(EMP)
		<ul style="list-style-type: none"> <li>• Emergency Plans</li> <li>• Fire Emergency Plan</li> <li>• Evacuation Plans and Emergency Drills</li> <li>• Total Facility Evacuation</li> <li>• Natural Disasters</li> <li>• Hunger Strikes</li> <li>• Work Stoppage</li> </ul>	
1C-01(M)	C2-11	Criminal Actions	(EMP)
		<ul style="list-style-type: none"> <li>• Crime Scenes</li> <li>• Criminal Violations</li> <li>• Disturbances and Riots</li> <li>• Hostage Situations</li> <li>• Mass Arrests-Civil Disturbances</li> </ul>	
	C2-12	Inmate Escapes	(EMP)
4C-06(M)	C2-13	Infectious Disease Program	(EMP)
1A-01(M); 1C-04, 05(M) 09	C2-14	Fire Safety, Facility Security and Sanitation	
4D-05(M)	C2-15	First Aid Kits-Emergency Defibrillator	(EMP)
		Fire Safety Officer-Inspections	
4D-06; 4D-17(M)	C2-16	Response to Illness, Injury or Death	(EMP)
4D-13, 14, 15, 16(M)	C2-17	Sexual Assault Prevention and Intervention	
4C-13(M)	C2-18	Suicide Prevention	(EMP)
2A-10	C2-19	Population Management Control	

Effective: 01/01/2012 Revised:  
 BIA-Adult Detention Facility Guidelines December 2010

## IV INMATE GUIDELINES

<p>4B-01:                  2A-13, 14; 2A-16, 17                  2A-18; 4C-09(M)                  4C-10(M); 4D-11</p>	<p>C2-20</p>	<p>Inmate Intake and Classification</p> <ul style="list-style-type: none"> <li>• Pre-Booking</li> <li>• Booking</li> <li>• Screening and Classification</li> </ul>	
<p>2A-15; 6A-01, 03, 04; 6B-02</p>	<p>C2-21                  C2-22</p>	<p>Inmate Handbook                  Inmate Personal Property</p> <ul style="list-style-type: none"> <li>• Inventory of Property</li> <li>• Storage of Property</li> <li>• Other Disposition of Property</li> <li>• Release of Property</li> </ul>	<p>Refer to Handbook Appendix D</p>
<p>2A-11</p>	<p>C2-23                  C2-24                  C2-25</p>	<p>Inmate Counts                  Inmate Transport  <i>Reserved for Future Use</i></p>	
<p>2A-15; 4B-01                  4B-01; 4B-02;                  4B-03; 5A-01;                  5B-01; 5B-02;                  5B-03; 5C-01                  5C-04; 5C-06                  6A-01; 6A-02                  6A-03</p>	<p>C2-26                  C2-27</p>	<p>Housing Assignment                  Programs and Services for Inmates</p> <ul style="list-style-type: none"> <li>• Community Service</li> <li>• Counseling Services</li> <li>• Cultural Education Program</li> <li>• Education Program</li> <li>• Incentive Program</li> <li>• Inmate Worker Program</li> <li>• Hair Care Services</li> <li>• Laundry</li> <li>• Library</li> <li>• Mail</li> <li>• Notary Service</li> <li>• Per Diem and Fund Accounts</li> <li>• Personal Hygiene Items</li> <li>• Recreation</li> <li>• Religious Programs</li> <li>• Telephone</li> <li>• Visitation – Personal, Professional, Special</li> </ul>	
<p>6B-01</p>	<p>C2-28                  C2-29</p>	<p><i>Reserved for Future Use</i>                  Inmate Rules, Discipline, and Grievances</p> <ul style="list-style-type: none"> <li>• Detainee Grievances</li> </ul>	
<p>2A-03; 2A-21; 2A-24</p>	<p>C2-30</p>	<p>Inmate Supervision</p> <ul style="list-style-type: none"> <li>• Cell Checks</li> <li>• Lockdown-Unlock</li> </ul>	
<p>3A-01                  6C-01; 6C-02                  6C-03; 6C-04</p>	<p>C2-31</p>	<p>Minor and Major Rule Violations-Hearings</p>	

Effective: 01/01/2012 Revised:  
 BIA-Adult Detention Facility Guidelines December 2010

5B-04; 6A-01	C2-32	Inmate Release <ul style="list-style-type: none"> <li>• Temporary Release</li> <li>• Work Education Release</li> <li>• Final Release</li> </ul>
	C2-33	<i>Reserved for Future Use</i>
	C2-34	Sex Offender Registration and Notification Act

**V**

**INMATE HEALTH AND MEDICAL SERVICES**

4C-01(M); 4C-03(M); 4D-05(M)	C2-40	Access to Health Care
4C-02	C2-41	Consent for Health Care
4C-14(M); 4D-05(M)	C2-42	Managing Chemical Dependencies
4C-11(M)	C2-43	Health Appraisals and Examinations
	C2-44	<i>Reserved for Future Use</i>
	C2-45	Health Care Decisions
	C2-46	<i>Reserved for Future Use</i>
4D-04(M)	C2-47	Health Care Personnel
4D-07(M); 4D-18	C2-48	Health Care Records and Confidentiality
4C-12(M); 4D-10(M); 5A-01	C2-49	Health Care Treatment
	C2-50	Health Education
	C2-52	<i>Reserved for Future Use</i>
4C-15(M)	C2-53	Medications
4C-10(M); 6B-03	C2-54	Management of Special Needs Inmates
4C-05(M)	C2-55	Other Inmate Health Services <ul style="list-style-type: none"> <li>• Administration of Treatment</li> <li>• Continuity of Care</li> <li>• Dental Screening and Evaluation</li> <li>• Hospitalization</li> <li>• Individual Treatment Plans</li> <li>• Mental Health Services</li> <li>• Mental Illness and Retardation</li> <li>• Pregnancy Management</li> <li>• Prosthesis, Orthosis, and Eyeglass Services</li> </ul>
4C-07(M)		
4C-08		
4C-12(M)		
4D-01(M)		
4D-02		
4D-03(M)		
4D-08		
	C2-59	<i>Reserved for Future Use</i>

Effective: 01/01/2012  
BIA-Adult Detention Facility Guidelines December 2010

## VI ORGANIZATIONAL COMMUNICATION

- C4-10 *Reserved for Future Use*  
-----  
C4-13 *Reserved for Future Use*  
C4-14 Public Information
- Information Release
  - Staff and Inmate Communication with the Media
- C4-15 *Reserved for Future Use*  
C4-16 *Reserved for Future Use*  
C4-17 Facility Radios  
C4-18 *Reserved for Future Use*  
C4-19 Staff Communication
- Briefing
  - Inmate Communication

2A-03; 2A-08

## VII LEGAL

- C4-20 Legal Assistance  
C4-21 Contract Agencies-Services  
C4-22 Administration of Health Care Services

## VIII DETENTION FACILITY STAFF

- C4-30 *Reserved for Future Use*  
C4-31 Staff Probationary Period, Performance Reviews, Promotion  
C4-32 Staffing Plans-Staffing, Workloads and Assignments  
C4-33 *Reserved for Future Use*  
C4-34 *Reserved for Future Use*  
C4-35 Personnel Files  
C4-36 *Reserved for Future Use*  
C4-37 Other Staff Guidelines
- Equal Employment Opportunity
  - Insurance Coverage
  - Part-Time Staff
  - Shift Briefings-Reporting to Work
  - Staff Accident and/or Injury
  - Staff Breaks
  - Staff Grievances
  - Staff Library
  - Staff Mail
  - Staff Medical Conditions and Medication Usage
  - Staff Out Processing
  - Unanticipated Shortages of Staff
- C4-38 Volunteer Program

2A-05; 2A-09

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## IX TRAINING AND STAFF DEVELOPMENT

7B-02; 7B-04

C4-40 Orientation and On-the Job Training

- Post Orders

C4-41 Indian Police Academy Training (IPA)

- Curriculum Development and Approval

7B-03; 7B-05

C4-42 In-Service Training

1C-07(M)

C4-43 Specialized Training

C4-44 *Reserved for future use*

C4-45 Training Management- Staff Development and Supervisory Training

- Training Officers

## X INTERNAL AFFAIRS, INSPECTIONS, AND AUDITING

L4-48 Directorate of Professional Standards (Internal Affairs & Inspections)

- Investigation of Complaints

C4-52 Fiscal, Independent, and Internal Audits/Inspections

## XI FISCAL MANAGEMENT

Budget, Petty Cash, Cash Management, Payroll, Procurement  
(Refer to DOI Budget Execution Model and Reconciliation)

C4-71 *Reserved for Future Use*

C4-72 Inventory Control

## Glossary of Terms-Definitions

## Index

## Appendix

- A. Indian Civil Rights Act of 1968
- B. BIA Adult Detention Facility Core Standards
- C. Suicide Prevention Information
- D. Facility Inmate Handbook
- E. Sexual Abuse/Assault Crisis Intervention Protocol

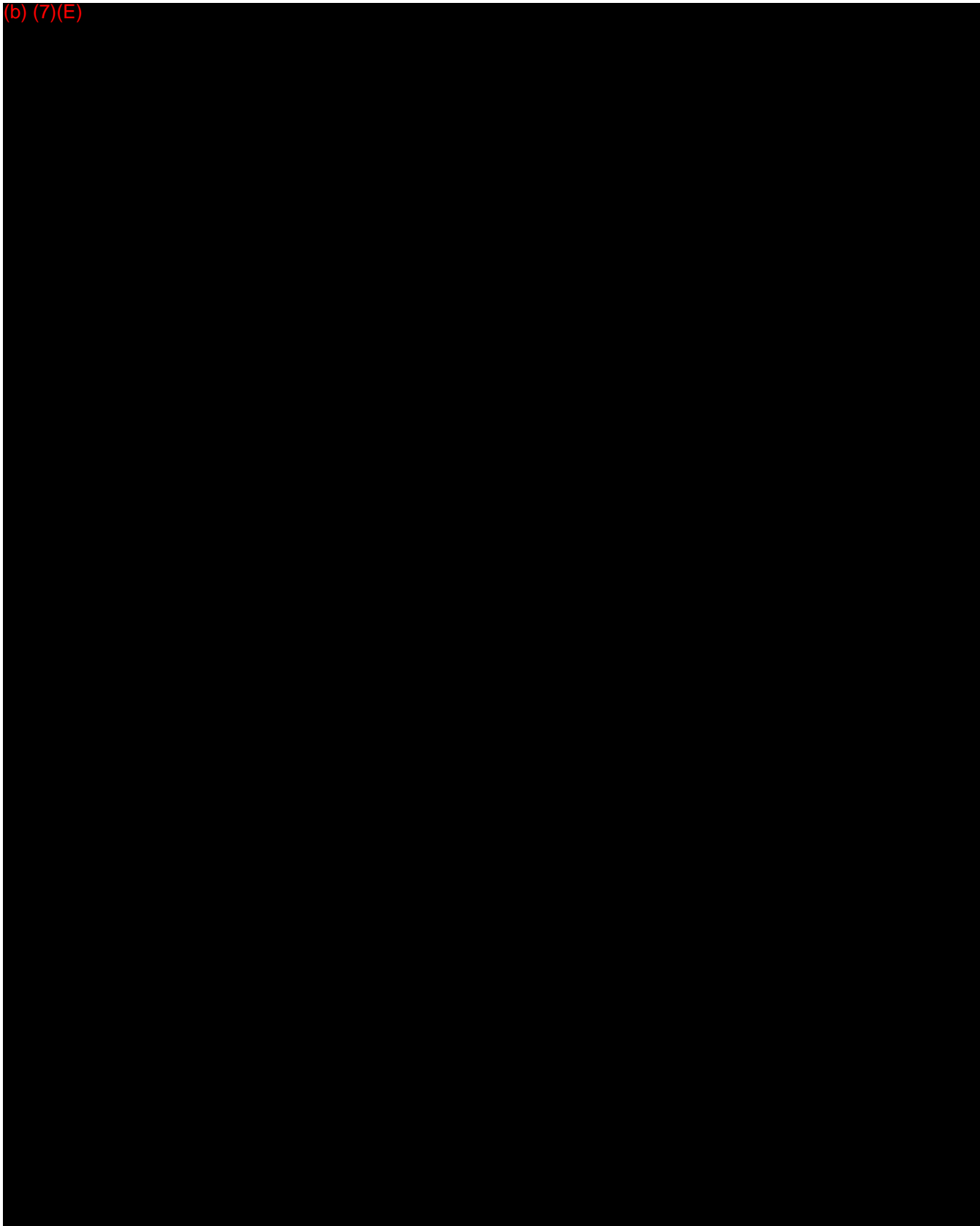
Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## CORRECTIONS FORMS-FORMS MANUAL

<u>Form Name</u>	<u>Form Number</u>
• Acknowledgement of Inmate Form	PDF Fill C2-20-E.
• Activity/Program Participation Log	PDF Fill C2-27-A.
• Approved Volunteer List	PDF Fill C4-38-A.
• Arrestee Custody Receipt	PDF Fill C2-20-A.
• Arrestee Medical Clearance Form	PDF Fill C2-20-B.
• Authorization for Suicide Precaution/Reassessment or Change in Observation Level	PDF Fill C2-18-A.
• Bomb Threat Check List	PDF Fill C2-09-A.
• Certificate of Medical Examination	(BIA Std. Form 78)
• Code of Ethics and Conduct Acknowledgment	Not PDF Fill C1-01-A.
• Confiscation and Disposition of Contraband	PDF Fill C2-22-B.
• Daily Incarceration List	PDF Fill C2-23-B.
• Disciplinary Report	PDF Fill C2-29-A.
• Facility Incident Report	PDF Fill C1-56-B.
• Facility Monthly Report	PDF Fill C1-56-A.
• Facility Work Order	PDF Fill C1-33-B.
• First Aid Kit Log	PDF Fill C2-15-A.
• Fire Safety and Security Checklist	Not PDF Fill C2-14-A.
• Food Service Utensil Inventory Form	PDF Fill C1-34-A.
• Food Service Temperature Log	Not PDF Fill C1-34-D.
• Generator Checklist	PDF Fill C1-33-A.
• Grievance Form	PDF Fill C2-29-B.
• Grievance Appeal	PDF Fill C2-29-C.
• Handbook/Special Order Sign Off Sheet	Not PDF Fill C-V-D.
• Handbook/Special Order Temporary Waiver Request	PDF Fill C-V-A.
• Handbook Change Order-Local Facility	PDF Fill C-V-B.
• Inmate File (6 part) Instructions	Not PDF Fill C1-52.
• Inmate Record Check Out Form	PDF Fill C1-52-A.
• Inmate Handbook	Not PDF Fill C2-21-A.
• Inmate Medical Clearance Form	Not PDF Fill C2-16-A.
• Inmate Medication Log	PDF Fill C2-53-A.
• Inmate Orientation and Handbook Acknowledgement	PDF Fill C2-21-B.
• Inmate Personal Property Form	PDF Fill C2-22-A.
• Inmate Receipt/Transfer Form	PDF Fill C2-24-C.
• Inmate Release Sheet	PDF Fill C2-32-A.
• Inmate Request Form	PDF Fill C2-21-C.
• Inmate Shift Count Form	PDF Fill C2-23-A.
• Inspection-Housing, Area	PDF Fill C2-26-A.
• Inspection-Common Areas	PDF Fill C2-26-B.
• Intake Screening Form	PDF Fill C2-20-C.
• Key Log	PDF Fill C1-26-A.
• Key Log-Permanently Assigned Keys	PDF Fill C1-26-B.
• Kitchen Sanitation Log	TBD
• Library Checkout Form	PDF Fill C2-27-B.
• Mail Log	PDF Fill C2-27-C.
• Master Menu	Refer to Facility Dietician
• Meal Content and Quality	Refer to Facility Dietician
• Meal Cost Analysis	PDF Fill C1-34-B.
• Meal Order Form	PDF Fill C1-34-C.
• Media Request and Waiver	PDF Fill C4-14-A.
• Medical Screening Form	PDF Fill C2-20-D.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

(b) (7)(E)



Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## DETENTION OPERATIONS HANDBOOK

### INTRODUCTION-RESPONSIBILITY OF PERSONNEL

It is recognized that personnel serving in various specialized divisions within the Office of Justice Services need additional guidance and clarification regarding their duties and responsibilities. For this reason, Division Handbooks/Manuals are authorized and provided to all division personnel.

Division Handbooks/Manuals shall not contradict or change any directives found in the OJS Handbook but will provide additional detail and operational guidelines for division personnel in order to ensure optimum efficiency, effectiveness, and safety for these personnel. Several core directives from the OJS Law Enforcement Handbook have been reprinted in this Handbook, as modified for Detention personal.

Policies, rules, and regulations contained in this Handbook will apply to all detention personnel. It shall be the duty of all detention personnel to familiarize themselves with the contents of this Handbook. All detention personnel will be held accountable for compliance with these standards.

All detention personnel will receive a copy of this Handbook and will receive thorough training on the Handbook. Upon successful completion of training, each staff member will sign an acknowledgment of training and receipt of the Handbook.

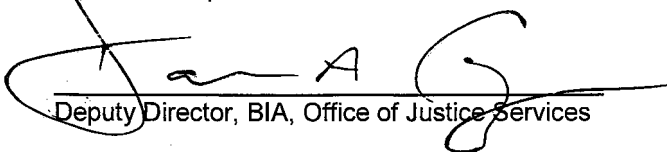
This Handbook replaces and supersedes all previous BIA-OJS publications affecting detention services, i.e. Adult and Juvenile Detention Handbooks, Adult and Juvenile Community Residential Handbooks, and Adult Holding Handbook. Directives found in this Handbook are based when applicable on BIA-Adult Detention Facility Guidelines December 2010.

#### Adoption of Handbook by Tribal Correctional/Detention Facilities

Tribal correctional/detention facilities are encouraged to consider adoption of this Handbook as their standard operating procedures manual, understanding that some minor modifications may be necessary. The Office of Justice Services will provide technical assistance to those facilities adopting this Handbook with training and deployment of the Handbook.

#### AUTHORITY

By virtue of the Authority vested in me as Deputy Director, Bureau of Indian Affairs, Office of Justice Services, I hereby prescribe and adopt this Corrections Handbook for use by all Corrections personnel.

  
Deputy Director, BIA, Office of Justice Services

2-1-12  
Date

#### Co-Signed:

  
Deputy Associate Director, Directorate of Operations

02/01/12  
Date

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## FORWARD

The OJS Directorate of Operations is charged with the responsibility of operating and managing all BIA-OJS detention facilities. At no time does the Directorate of Operations relinquish or surrender control of these facilities to any other authority.

The Corrections Handbook contains Policies, Rules, and Procedures in a series of directives covering all OJS Detention Facilities. This Handbook is not designed to be a training manual but rather a guide providing Division policy and specific direction on how to complete various tasks. It is recognized that there is a wide range of facility sizes and staffing levels. It is also recognized that not every situation at every facility can be covered in this Division Handbook.

Because of the physical constraints at certain facilities and staffing levels, certain policies may not be immediately obtainable. A "Temporary Waiver Request" process has been put in place to allow a Facility Supervisory Correctional Specialist (FSCS) to work toward achieving compliance without being held out of compliance, understanding that critical health and safety standards cannot be waived.

Each Detention Facility SCS is expected to complete "Local Facility Handbook Change Orders" which will address specific situations at his/her facility that are not specifically covered in the Handbook. Additions or modifications may not lessen the requirements identified in the Corrections Handbook.

The Directorate of Operations Chain of Command is described on page C-IV under "Delegation of Authority-Chain of Command" section found in the front of the Handbook. For the purposes of this Handbook, the Facility SCS is always designated as the "Facility Supervisory Correctional Specialist (FSCS)" even though some facilities may be managed by a Supervisory Correctional Officer (SCO). There are occasions in every facility when duties and responsibilities are conferred on a "Designee" or "Acting" position when the responsible party is not available.

This Corrections Handbook is applicable to both adult and juvenile inmates. Standards for juveniles are specifically stated, when necessary.

All BIA-OJS Detention Facilities are staffed by detention personnel who are responsible for the health, safety, and well being of the inmates kept in the facility. Each Detention Facility is maintained by BIA Facility Maintenance personnel who do not operate under the Office of Justice Services (OJS). Maintenance may also be contracted for or in some instances, BIA may occupy a facility that is owned by the tribe. For this reason, it is imperative that maintenance needs throughout the facility and surrounding areas of control are identified as soon as possible and forwarded in "Work Orders" to the responsible facilities maintenance manager for corrective action. Each Facility SCS is responsible for submitting work orders into the FMIS System.

In this Handbook, where a directive identifies an individual as "he" or "him" and the reference is not intended to be gender specific, the reference should be interpreted as he/she and him/her without prejudice to gender.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

# **BUREAU OF INDIAN AFFAIRS**

## **OFFICE OF JUSTICE SERVICES**

### **MISSION**

The mission of the Bureau of Indian Affairs, Office of Justice Services is to provide justice services and technical assistance to federally recognized Indian tribes and communities, and to respect and protect sovereignty through promotion of self determination

### Guiding Principles

- Protect life and property
- Maintain order and justice
- Prevent crimes
- Reduce recidivism
- Support tribal justice systems
- Provide safe, secure, humane detention services

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## **STATEMENT OF ORGANIZATION**

The OFFICE OF JUSTICE SERVICES (OJS) is the public safety component of the Bureau of Indian Affairs (BIA). As such, this Office provides law enforcement and detention services throughout the United States to those areas commonly referred to as "Indian Country". These services include uniform patrol functions, criminal investigation functions, detention operations, and oversight of funds provided to self-sufficient tribes.

The OJS Directorate of Operations is comprised of Districts that administer law enforcement and detention services. Each District has one or more Detention Facilities assigned to it.

### **ORGANIZATIONAL CHART**

The Office of Justice Services Deputy Bureau Director or designee will maintain an organizational chart that identifies all existing positions, including administrative, staff, supervisory, line, and civilian positions.

### **REVIEW AND REVISION**

- A. The Deputy Bureau Director or designee will review the organizational statement and the organization chart when completing the Annual Report.
- B. The Deputy Bureau Director will add any new positions or functions.
- C. The Deputy Bureau Director will remove any positions or functions that have been deleted.
- D. The Deputy Bureau Director will include new organization charts and functional statements in the Annual Report.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## STATUTORY AUTHORITY

Under the Authority provided by 25 CFR § 2802, which implements Public Law 101-379, the Indian Law Enforcement Reform Act, the Bureau of Indian Affairs, Office of Justice Services has the responsibility to provide criminal justice remedial actions, correctional and detention services, and rehabilitation in Indian Country.

### DELEGATION OF AUTHORITY-CHAIN OF COMMAND

#### Deputy Director, Office of Justice Services

The Deputy Director, Bureau of Indian Affairs, Office of Justice Services, has been delegated the responsibility for the development of law enforcement and corrections policies, standards, and management of all Bureau of Indian Affairs law enforcement initiatives in the BIA and by tribal contract under Indian Self-Determination and Education Assistance Act, Public Law 93-638, as amended, 25 U.S.C 450.

#### Deputy Associate Director, Directorate of Operations

The Deputy Associate Director, Directorate of Operations, Bureau of Indian Affairs, Office of Justice Services, has been delegated the responsibility for the development of detention policies, standards, and management of all Bureau of Indian Affairs detention initiatives in the BIA and by Tribal contract, as necessary, to meet the detention needs within Indian Country.

#### Chief of Corrections (COC)

The Chief of Corrections, Bureau of Indian Affairs, Office of Justice Services, is responsible for ensuring policies, procedures, and standards for the operations of detention programs in the BIA and by Tribal contract are adhered to, to ensure detention needs within Indian Country are being met.

#### District Supervisory Correctional Specialist (DSCS)

The District Supervisory Correctional Specialist, Bureau of Indian Affairs, Office of Justice Services, is responsible for the full implementation of all policies, procedures, and standards for the operations of detention facilities in the BIA and by tribal contract within his/her District.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

### Facility Supervisory Correctional Specialist (FSCS)

The Facility Supervisory Correctional Specialist, Bureau of Indian Affairs, Office of Justice Services, is responsible for the full implementation of all policies, procedures, and standards for the operation of a specific detention facility in the BIA or a facility under Tribal contract.

### Supervisory Correctional Officer (SCO)

The Facility Supervisory Correctional Officer, Bureau of Indian Affairs, Office of Justice Services, is responsible for the full implementation of all policies, procedures, and standards for the operation of a specific detention facility in the BIA or a facility under Tribal contract when a Facility Supervisory Correctional Specialist (FSCS) is not assigned to the facility.

### Lead Correctional Officer (LCO)

A Lead Correctional Officer is an officer who serves as a work leader that, on a regular and recurring basis, leads three or more officers in accomplishing daily work tasks.

### Correctional Officer (CO)

A Correctional Officer supervises criminal offenders/inmates in detention facilities. This involves complex tasks related to most aspects of facility security and inmate custody.

### Law Enforcement Assistant (LEA)

A LEA is a trained civilian staff person who is responsible for conducting administrative duties at a Detention Facility.

### Facility Support Staff

Support staff members may include employees performing custodial duties, kitchen personnel, medical personnel, maintenance personnel, and others employed directly or through an MOU's/MOA's.

## C-V WRITTEN DIRECTIVE SYSTEM

### POLICY

OJS policy is to maintain a system of written directives in an OJS Handbook and Directorate/Division Handbooks and to provide for their distribution, accountability, and updating. The OJS Deputy Bureau Director has the sole authority to issue, modify, and approve all written directives contained in these Handbooks. These Handbooks also contain the organization's specific mission statement, policies, rules, and procedures.

### RULES AND PROCEDURES:

#### C-V-01 OJS HANDBOOK

- A. Written directives provide employees with a clear understanding of the constraints and expectations relating to the performance of their duties. The OJS Deputy Bureau Director issues written directives that remain in full force and effect until amended or rescinded by the Deputy Bureau Director. These directives establish policies, procedures, and/or rules, which affect the organization. They are the most authoritative directives and take precedence over all other internal directives.
- B. All OJS Detention personnel are responsible and accountable for complying with the policies, rules, and procedures contained in the Division Handbook. Personnel are responsible for maintaining the Division Handbook and any subsequent Special Orders issued to them.

#### C-V-02 AUTHORITY FOR ISSUANCE OF OJS DIRECTIVES

All written directives of the organization shall be issued only upon the approval of the Deputy Bureau Director. During the approval process, if the Deputy Bureau Director deems it necessary for a written directive to be modified, the modification must conform to all federal laws, DOI and BIA rules, as well as any current contracts and/or Memorandums of Understanding. The Deputy Bureau Director may vest in others the authority to issue specific types of directives such as the authority for Directorate Associate Directors to issue Directorate directives, Deputy Associate Directors to issue Division directives, District Supervisory Corrections Specialists to issue District Directives, and Facility SCS' to issue Facility Directives. However, no District or Facility Directive will conflict or contradict an OJS Directive.

### C-V-03 DIVISION/DISTRICT DIRECTIVES

Division/District directives which augment OJS policies or procedures will be reviewed by a designated person, prior to their publication to ensure that conflicts do not exist. A copy of all division/district directives will be furnished to the Office of the Deputy Bureau Director, OJS, and the Indian Police Academy. The Directorate of Operations Deputy Associate Director, Chief of Corrections, District SCS', and Facility SCS', etc. may develop additional written directives within the scope of their assignment. In no case will these directives conflict with the OJS Handbook. Division Handbooks/Manuals will be reviewed annually, and updated as necessary.

### C-V-04 OJS SPECIAL ORDERS

OJS Special Orders are written directives issued by the Deputy Bureau Director to govern particular situations such as revisions to a Handbook, etc. OJS Special Orders will be issued by the OJS Deputy Bureau Director when there is an immediate need to notify each employee of a change in policies, rules, or procedures until a revision to the Handbook is distributed. Special Orders remain in effect until appropriate revisions are made to the Handbook.

### C-V-05 OJS INFORMATION BULLETINS

OJS Information Bulletins are notices issued by the Deputy Bureau Director containing information, advisories, or announcements of general or specific interest.

### C-V-06 OJS SPECIAL ORDER AND INFORMATION BULLETIN PUBLICATION

- A. Special Order and Information Bulletin numbers are issued using the last two digits of the year, followed by a hyphen and sequential number starting with 1, each calendar year, e.g. OJS Special Order 11-01, Bulletin 11-01.
- B. Procedures for publishing a special order/information bulletin and acquiring a document number:
  1. The author of the document must furnish the Inspections Unit with a copy of the document either by fax, email, or by inter-office mail.
  2. Inspections Unit personnel will proof read the document for grammar and proper format then forward the document to the Deputy Bureau Director's Administrative Assistant who will present the document to the Deputy Bureau Director for signature.
- C. Number logs shall be maintained by the Inspections Unit.
- D. A Special Order that directs the incorporation of a change to a Handbook will normally be published with the revision attached.

- E. When a Special Order is used for a temporary change in a Handbook, an expiration date will be included.
- F. The Office of the Deputy Bureau Director will file the original.

C-V-07 DISTRIBUTION OF DIVISION HANDBOOK, SPECIAL ORDERS, AND INFORMATION BULLETINS

- A. In order to ensure that all personnel of the division receive copies of the Handbook, handbook revisions, Special Orders, and Information Bulletins, distribution will be made as follows, with each succeeding level of command responsible for the delivery of the documents to their subordinates.
  - 1. Copies of the Handbook, handbook revisions, Special Orders, and Information Bulletins for personnel will be delivered to the appropriate Division Head by the Inspections Unit with a "Handbook/ Revision/ Special Order/Information Bulletin Tracking Form". The documents will be forwarded down the chain of command with each succeeding level acknowledging receipt by written signature and date received.
  - 2. The Directorate Associate Director will use the provided sign-off sheet and have sufficient copies of the document duplicated to provide distribution to all effected employees under his/her command. Completed sign-off sheets will be returned to the District Office for storage as provided for below.
  - 3. The district SCS will forward the copies to each facility under his/her command and the facility SCS will ensure that all personnel under his/her command sign and date the sign-off sheet indicating receipt as they are issued a copy of the handbook, revision(s) Special Order, or Information Bulletin. Personnel must sign for their own document and no exceptions will be made. Immediate supervisors are not authorized to sign on behalf of their employees. Sign-off sheets will be returned to the district office for retention. The sign-off sheets will be retained by the district SCS for a minimum of three years. The Handbook is considered issued equipment. Employees will also complete a DI-105 and keep a copy of the DI-105 with the Handbook.
  - 4. Following distribution of the handbook/revision/special order/Information Bulletin, division/district commanders will acknowledge receipt and completed distribution on an inter-office correspondence, which will be provided in the initial packet. This document will be maintained by the Inspections Unit.
- B. When a Special Order requires an addition, deletion, or change in the Handbook, the procedure may be accomplished in one of several forms. The change may be in the form of insertion of page(s) to replace page(s) currently in the Handbook. The page(s) may be inserted as additions to the Handbook. The Special Order may simply identify language to be deleted or hand written in a particular place in the Handbook. In every case, instructions will be included with the Special Order.

→ **C. Changed and additional language will be easily identified by the use of Times New Roman Bold font letters and an arrow on the left of the text. When a new change occurs, the previous changes will revert to the standard formatting.**

C-V-08 PROPOSED CHANGES TO DIVISION HANDBOOK

- A. Any employee may propose a change to existing policies, procedures, or rules, and/or suggest new policies, procedures, or rules. If the change is intended to become a part of any of the Handbook, the employee (requester) initiating the revision must complete an "OJS Handbook Revision Request Form". The request will be submitted through the chain of command to the Inspections Unit for review and evaluation.
- B. After the evaluation is completed, the Inspections Unit will initiate an OJS Special Order if the proposal is to be incorporated as an amendment to any OJS Handbook. The Inspections Unit will submit the proposal to the Deputy Bureau Director for approval and signature.

C-V-09 HANDBOOK TEMPORARY WAIVER REQUEST/REQUEST FOR ADDITIONAL RESOURCES

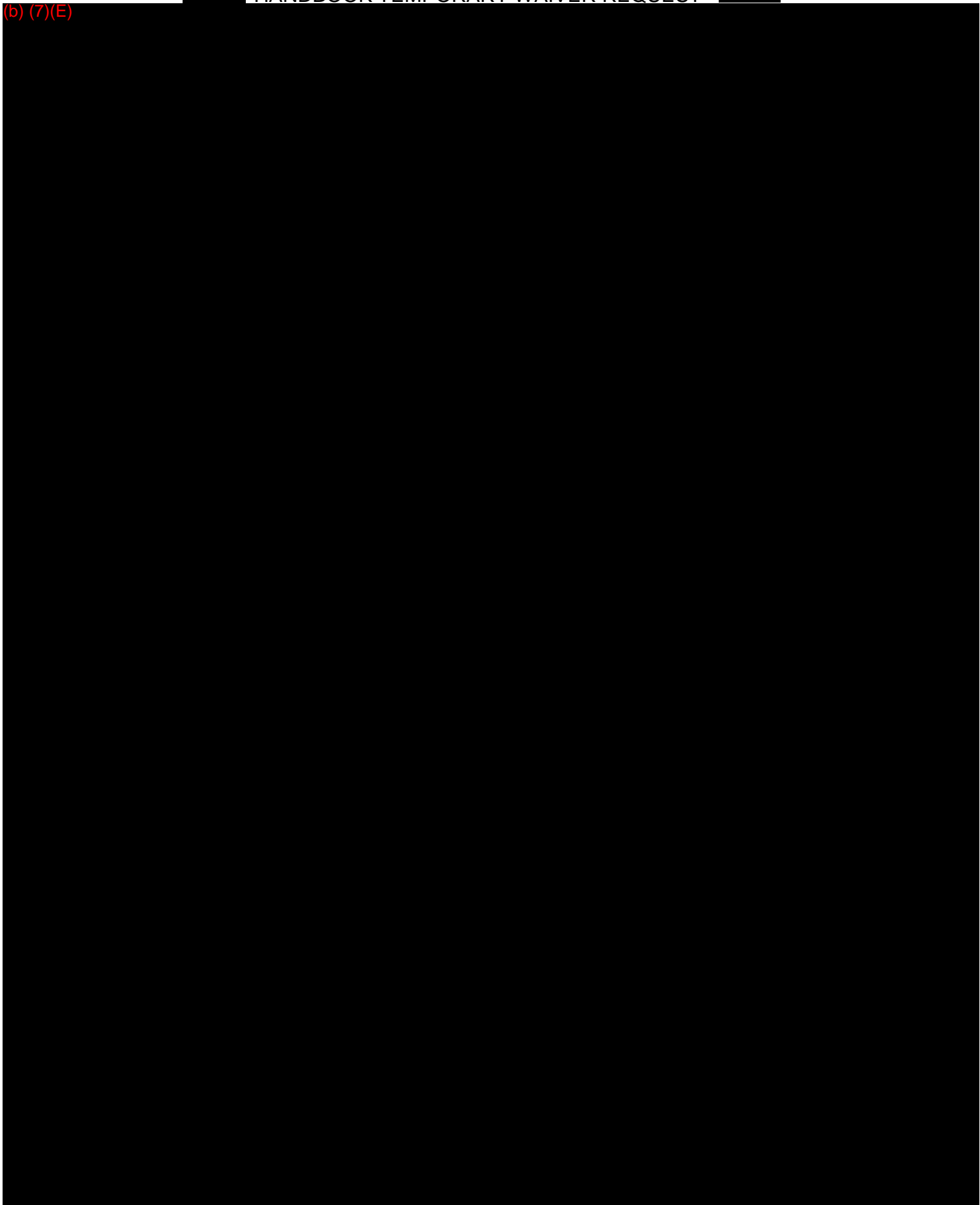
Due to a number of factors found at specific district offices, and detention facilities, some policies, rules, and regulations introduced in the Corrections Operational Handbook may not be currently attainable. A Handbook Temporary Waiver Request and a Request for Additional Resources form has been developed to allow district/facility SCS's to identify and address these issues, using the following steps:

1. When an SCS identifies a directive section or subsection that cannot be completely complied with, a Handbook Temporary Waiver Request form will be initiated. If the reason for non-compliance is identified as a lack of resources, the Request for Additional Resource form will also be initiated.
2. When completed this form(s) will be forwarded up the chain of command to the Directorate Deputy Associate Director for approval. The Deputy Associate Director will review and approve the request(s), as appropriate and return a copy through the chain of command to the initiating party. A copy will be forwarded to the Deputy Director, OJS, for review.
3. It is anticipated that compliance will be attained within the requested period. However, should it not be, a new request form must be generated. In any case, request forms will be completed no less frequently than annually. Active requests will be attached to all required Annual Reports.

#### C-V-10 CHANGE ORDER-LOCAL FACILITY

- A. Because of factors unique to each detention facility, the Facility SCS may request modification of a directive in the Corrections Operational Handbook using a "Handbook Change Order-Local Facility" form C-V-B. Change Orders must be sent to the Chief of Corrections for approval through the chain of command.
- B. Change Orders will not be approved when the more appropriate solution would be a "Temporary Waiver Request/Request for Additional Resources".
- C. When approved, Change Orders will be placed at the beginning of the written directive the change applies to. Approved Change Orders will be printed on colored paper so that staff can quickly identify the changes.

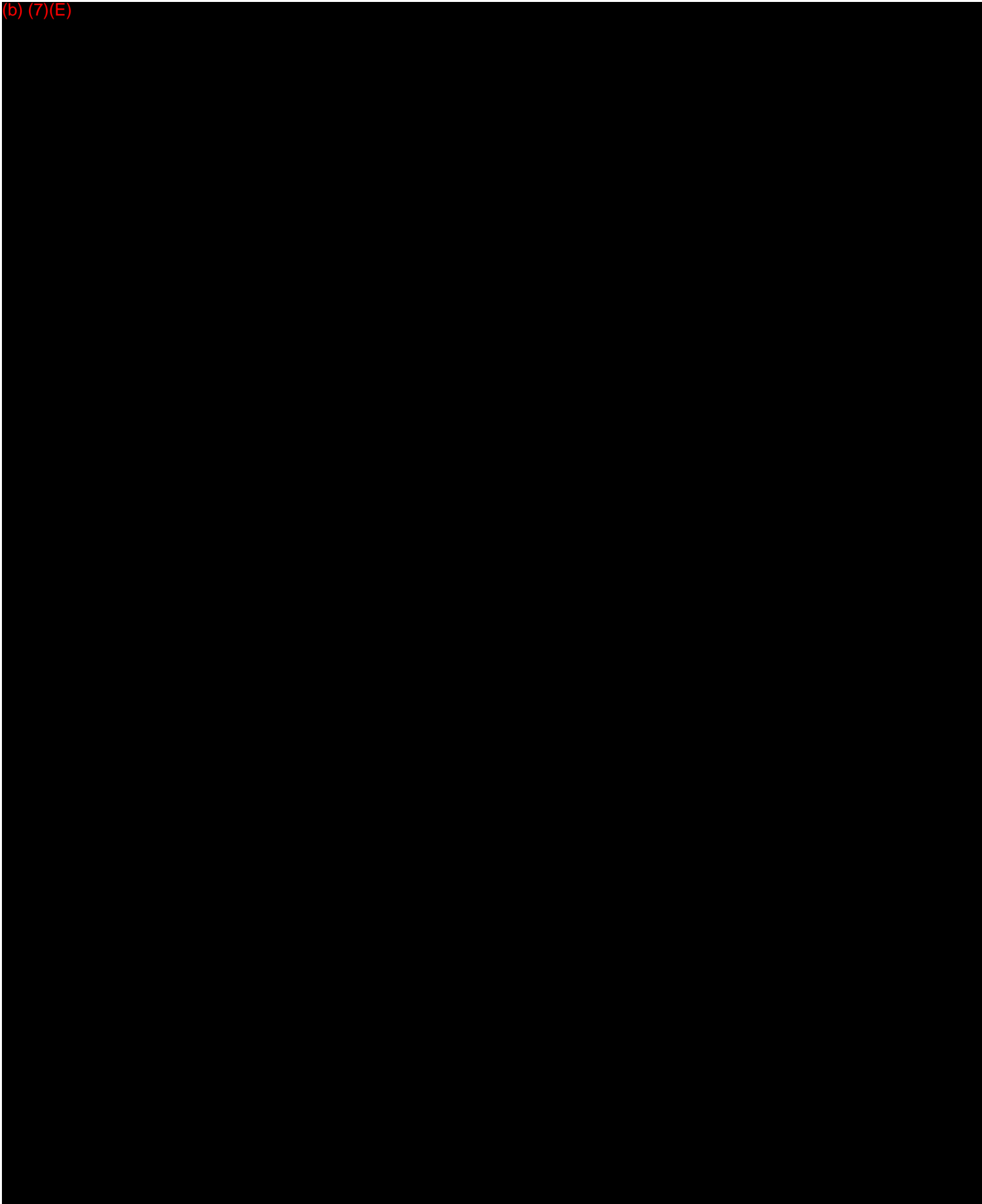
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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

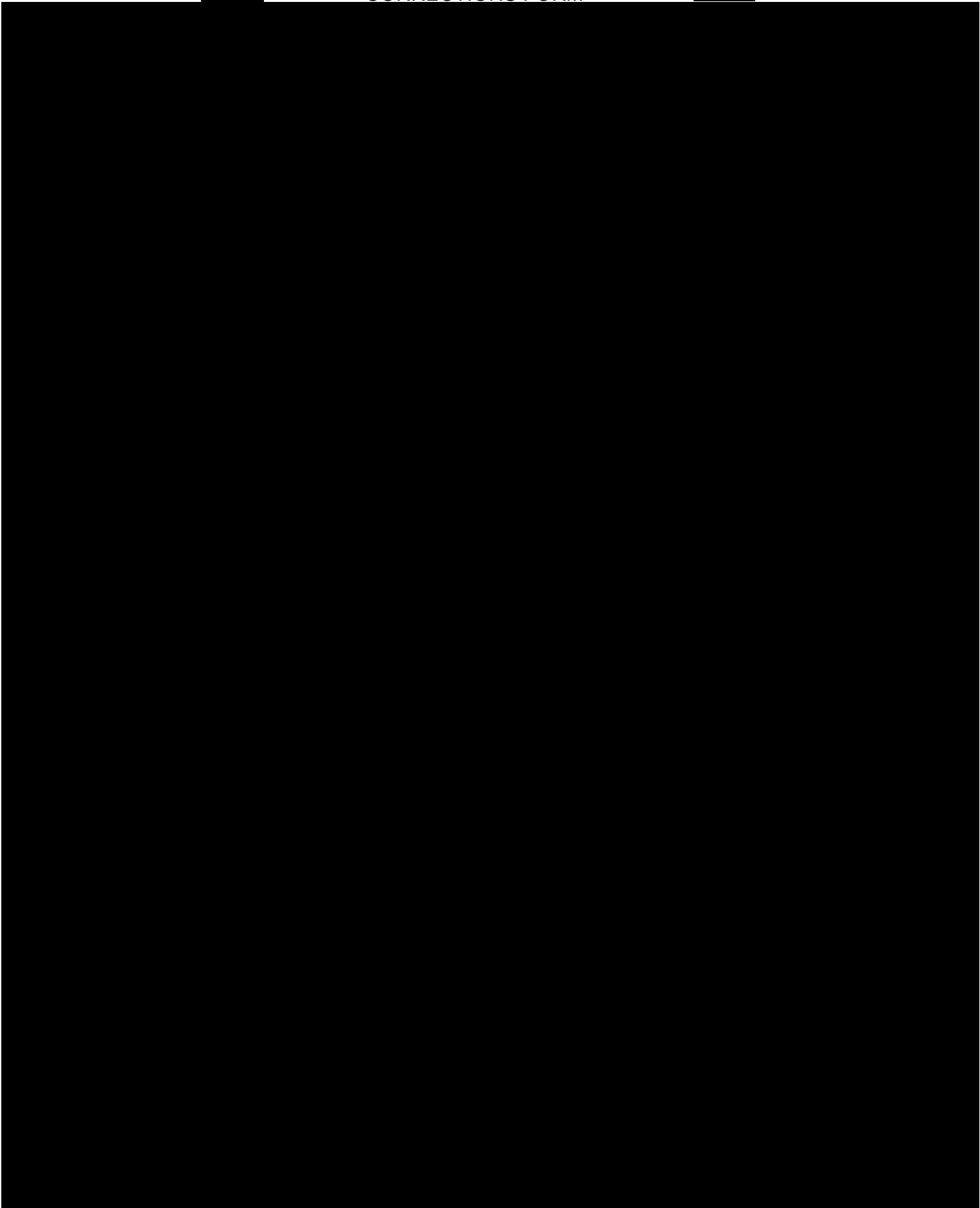
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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010 BIA ADF-2A-19; 2A-20

## C-VI JUVENILE AND ADULT SEPARATION

### POLICY

Facilities having both juvenile and adult offenders will be designed to provide sight and sound separation of juvenile offenders from adult offenders to protect juveniles and comply with all applicable laws and standards.

### DEFINITIONS:

Juvenile - Any person who is under the age of 18 (unless otherwise defined by Tribal Code) who is housed in a Juvenile Detention Facility.

### RULES AND PROCEDURES

#### CVI-01 SEPARATION OF ADULTS AND JUVENILES

If services for adult and juvenile offenders are provided by the same facility, statements of philosophy, statements of purpose, program, and procedure shall distinguish between criminal codes and the statutes that establish and give direction to programs for juveniles.

#### CVI-02 CO-LOCATED ADULT AND JUVENILE FACILITY

- A. If the juvenile facility is on the grounds of any other type of detention facility, it shall be a separate, self-contained unit. The facility shall comply with the separation criteria of 49 CFR Parts 2054 through 2055, which require:
1. separation between spatial areas so that there could be no accidental contact between juveniles and adults in their respective facilities;
  2. total separation in all juvenile and adult program activities within facilities, including recreation, education, counseling, health care, dining, sleeping and general living activities;
  3. separate juvenile and adult staff, including management, security and direct care staff, such as recreation, education and counseling. Specialized/support services staff, such as cooks, bookkeepers, and medical professionals who are not normally in contact with detainees or whose infrequent contacts occur under conditions of separation of juvenile and adults, can serve both.
  4. Compliance with BIA standards and BIA accreditation.
- B. Juveniles will be housed in the Juvenile Detention Facility until the Court issues an order indicating the Juvenile is to be considered an adult or is sentenced as an adult.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010 BIA ADF-2A-19; 2A-20

- C. Juveniles who are sentenced as adults or who are designated as adults by court order may or may not be housed at the Juvenile Detention Facility. Each case will be evaluated on its safety merit. Arrangements will be made to house them in an Adult Detention Facility, based on a determination by the Facility SCS and concurrence by the District SCS and the Chief of Corrections.

#### CVI-03 ADULT AND JUVENILE SEPARATION

- A. The Juvenile Detention Facility staff will process in and hold juveniles in sight and sound separation from adult offenders unless there is a court order certifying the juvenile is to be considered an adult.
- B. If a juvenile comes into contact with an adult inmate, either intentionally or by accident, the staff witnessing or aware of the incident will complete an Incident Report and forward copies of the Incident Report to the Facility SCS, the Juvenile SCS, the Adult On-Duty Supervisor, and the Juvenile On-Duty Supervisor.

#### CVI-04 JUVENILE BROUGHT TO ADULT DETENTION CENTER

- A. If an individual is brought into the Adult Detention Facility under the presumption that he/she is an adult and later is found to be a juvenile, the Adult On-Duty Supervisor will immediately remove the juvenile from adult detention and verbally inform the Arresting Officer, then escort the juvenile to the Adult/Juvenile Receiving/Admissions area.
- B. The Juvenile On-Duty Supervisor will meet the Adult On-Duty Supervisor and juvenile in the Adult/Juvenile Receiving/Admissions area and escort the juvenile to the Juvenile Detention Facility.
- C. The Adult facility On-Duty Supervisor will complete an Incident Report and forward copies of the Incident Report to the Facility SCS, the Juvenile SCO, and the Juvenile On-Duty Supervisor.

#### CVI-05 ADULT BROUGHT TO JUVENILE DETENTION CENTER

- A. If an individual is brought into the Juvenile Detention Facility under the presumption that he/she is a juvenile and later is found to be an adult, the Juvenile On-Duty Supervisor will immediately remove the adult from the juvenile area and verbally inform the Arresting Officer, then escort the adult to the Adult/Juvenile Receiving/Admissions area.
- B. The Adult On-Duty Supervisor will meet the Juvenile On-Duty Supervisor and adult in the Adult/Juvenile Receiving/Admissions area and escort the adult to the Adult Detention Facility.
- C. The Juvenile On-Duty Supervisor will complete an Incident Report and forward copies of the Incident Report to the Facility SCS, the Juvenile SCS, and the Adult On-Duty Supervisor.



Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-6A-06 (M);

## C1-01 CODES OF ETHICS AND CONDUCT-OATH OF OFFICE

### POLICY

All Corrections employees must conduct themselves in a professional manner and not engage in illegal or unethical behavior. All employees must sign a Code of Ethics and a Code of Conduct to acknowledge receipt and understanding. All employees will sign an Oath of Office.

Inmates housed in BIA detention facilities will not intentionally be subjected to personal abuse, corporal punishment, personal injury, disease, property damage, or harassment.

Supervisors must ensure an initial and annual Code of Ethics and Code of Conduct is signed annually and kept on file.

### RULES AND PROCEDURES

#### C1-01-01 CODE OF ETHICS – CODE OF CONDUCT

- A. Employees are expected to demonstrate the highest standards of personal conduct.
  1. The corrections/detention profession is rarely defined by the public or the helping professions as a high status career. Public perceptions often imply that anyone has the ability to work with offenders in a locked setting. For these reasons staff must continually demonstrate a pride in professional corrections/detention practices and self-respect reflective of the highest level of personal conduct. This conduct specifically refers to personal integrity, honesty, and truthfulness in dealing with both offenders and the public, and the courage of one's convictions.
  2. Corrections/detention staff is charged with a public responsibility for the secure care of offenders. Cognizant of this public trust, the staff must understand that any individual or collective compromise of their integrity or self-respect can damage the ability of the detention facility to accomplish its mission. The best insurance against a loss of public confidence is adherence to the highest standards of personal conduct.
  3. With these principles in mind, staff members will report to their immediate supervisor at the earliest possible opportunity, any adverse contact they have with law enforcement. Adverse contacts include but are not limited to traffic citation(s), domestic disturbance where police are called, and may also include contacts with law enforcement such as being a witness to a crime or a victim of a crime.
  4. Staff members will advise their immediate supervisor of any familial or personal relationships regarding any inmate immediately. Whenever possible, authorizations regarding the inmate will be made or approved by another detention officer of equal or higher rank.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-6A-06 (M);

- B. Employees are expected to demonstrate the highest standards of professional conduct.
1. Progress as a profession depends not only on public trust but on professional competency. Therefore, staff will strive for excellence in job performance which advances the cause of the profession by gaining increased public respect in order to further the best interest of offenders. Staff will support and encourage programs which develop knowledge, skills, and abilities directly relevant to detention services. The staff will demand regular and periodic feedback regarding their job performance and career goals.
  2. The staff will understand that the important component of detention services is the relationship between staff and detained offenders. Staff will emphasize training and skill acquisition in the area of interpersonal communication.
  3. The staff will be concerned with providing the highest quality of care. In keeping with this concern, the staff will endorse the precepts of the American Correctional Association standards and encourage others in corrections/detention to adhere to them.
  4. The staff will refrain from performing their duties in a meddlesome or overbearing manner. Neither will they permit personal feelings, prejudices, animosities, or friendships to influence their decisions. The staff will implement detention programs without fear or favor, without malice or preferential treatment. The staff will refrain from violent or hostile responses toward offenders and from employing unnecessary force.
- C. Employees are expected to avoid any interest or activity which is in conflict with or which produces personal gain through the execution of their official duties.
1. Staff will refrain from any task which is in conflict or could be viewed as in conflict with job responsibilities. Staff will also refrain from activities or interest's related to partisan politics when they create a conflict of interest, produce personal gain, or occur at the work place and interfere with official duties.
  2. The only gains staff will seek from public employment are salaries, legitimate fringe benefits, respect, and recognition for their work. Personal gain may also include the satisfaction of doing a good job, helping offenders and their families, and achieving career goals. Public property, funds, and power will not be directed toward personal or political gain.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-6A-06 (M);

3. Staff must understand that in the relationship between staff and detained offenders, dependency and vulnerability are frequently present. Offenders often use this relationship as a method of acquiring staff approval and as a means to bolster their self-esteem. Therefore, staff will value the human worth of these offenders by steadfastly refusing to behave in a manner which satisfies the staff member's personal needs at the expense of the offender.
- D. Employees are expected to safeguard the confidentiality of detained offenders.
1. Staff will adhere to federal law regarding issues of confidentiality for offenders. Staff will refrain from identifying offenders and discussing critical problems, privileged information and incidents in situations outside of the official work setting.
  2. When necessary, audio recording, videotaping, and still camera pictures may be taken and used for official purposes only. Voice or video recordings and still pictures (including cell phone camera pictures) by detention staff for any type of personal use is prohibited. When used for official purposes, the camera, cell phone, etc. is subject to review and retention by OJS for evidentiary purposes, etc.
- E. Employees are expected to support the legal and ethical rights of offenders.
1. Staff will work to define and articulate policy and procedure which specifies the legal and human rights of detained offenders. Staff will educate offenders and others about policies and practices which both ensure and violate these rights. Staff will refuse to remain silent when these rights are violated, and they will speak on behalf of the affected offender.
  2. Staff will subscribe to the ideal that offenders have the right to be detained in a psychologically and physically safe and secure environment. Staff will encourage program development which generates a therapeutic social climate within the detention facility.
  3. While supporting the legal rights of offenders, staff will not make any comments, suggestions, or recommendations to offenders that might be construed to be legal advice or assistance.
- F. Employees are expected to eliminate all forms of unethical and illegal behavior.
1. As a component of the criminal justice system, staff is committed to legal and ethical standards of behavior. Therefore, illegal and unethical behavior shall be reported. Sensitive to the correlations between effective detention programs and harmonious working relationships between staff, staff is committed to ethical standards over and above issues of friendship, efficiency, and loyalty to one's agency.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-6A-06 (M);

2. Staff will not tolerate and will actively work to remove from the profession those who condone or engage in discrimination, theft, or any form of child abuse, i.e. - physical, mental, or sexual abuse.
- G. Employees are expected to maintain an optimum level of physical conditioning and mental alertness.
1. Staff realizes that detention is a highly stressful profession. A part of this stress derives from the potential for physical interventions. Staff will maintain an optimum level of physical conditioning in order to respond to physical situations in the most efficient manner. Staff must realize that both staff and inmates are less likely to be injured when staff is physically capable of controlling the situation.

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#### C1-01-02 BIA-OJS CORRECTIONS CODE OF CONDUCT

- A. I will faithfully abide by all laws, rules, regulations, and customs governing the performance of my duties and I will commit no act that violates these laws or regulations, or the spirit or intent of such laws and regulations, while on or off duty.
- B. In my personal and official activities, I will never knowingly violate any local, Tribal, State or Federal laws or regulations.
- C. While an Office of Justice Services Employee, I will accept no outside employment (other than in the armed forces of the United States) without the prior approval required by the program.
- D. As a Corrections employee, I will conduct all investigations and associated functions assigned to me impartially and thoroughly, and report the results thereof fully, objectively, and with complete accuracy.
- E. In the investigative process, I will release information pertaining to my official duties, orally or in writing, and only in accordance with law and announced policy.
- F. I will not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment or other thing of monetary value except in the context of obvious family or personal relationships where the circumstances make it clear that it is that relationship, rather than my position as an Office of Justice Services Employee, that is the motivating factor.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-6A-06 (M);

- G. I will only accept a loan from a bank or other financial institution on customary terms or in the context of obvious family or personal relationships where the circumstances make it clear that it is the relationship rather than my position as an Office of Justice Services Employee that is the motivating factor.
- H. I understand that this Code of Conduct is in addition to requirements imposed on me and applicable to all Department of the Interior employees as set forth in Part 20 of Title 43 of the Code of Federal regulations and Part 446 of the Departmental Manual, which I have read. I understand that violation of this code, of 43 CFR, Part 20 or DM 446 may be cause for disciplinary action including discharge from my position as an Office of Justice Services Employee.

### C1-01-03 CODE OF ETHICS FOR GOVERNMENT SERVICE

Any person in Government Service should:

1. Put loyalty to the highest moral principles and to Country above loyalty to persons, party, or Government department.
2. Uphold the Constitution, laws, and legal regulations of the United States and all governments therein and never be party to their evasion.
3. Give a full day's labor for a full day's pay; giving to the performance of his (her) duties, his (her) earnest effort and best thought.
4. Seek to find and employ more efficient and economical ways of getting tasks accomplished.
5. Never discriminate unfairly by dispensing special favors or privileges to anyone, whether for remuneration or not; and never accept, for himself (herself) or his (her) family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his (her) Government.
6. Make no private promises of any kind binding upon the duties of office, since a Government employee has no private work which can be binding on the public duty.
7. Engage in no business with the Government, either directly or indirectly, which is inconsistent with the conscientious performance of his (her) governmental duties.
8. Never use any information coming to him (her) confidentially in the performance of governmental duties as a means for making private profits.
9. Expose corruption wherever discovered.
10. Uphold these principles, ever conscious that public office is a public trust.

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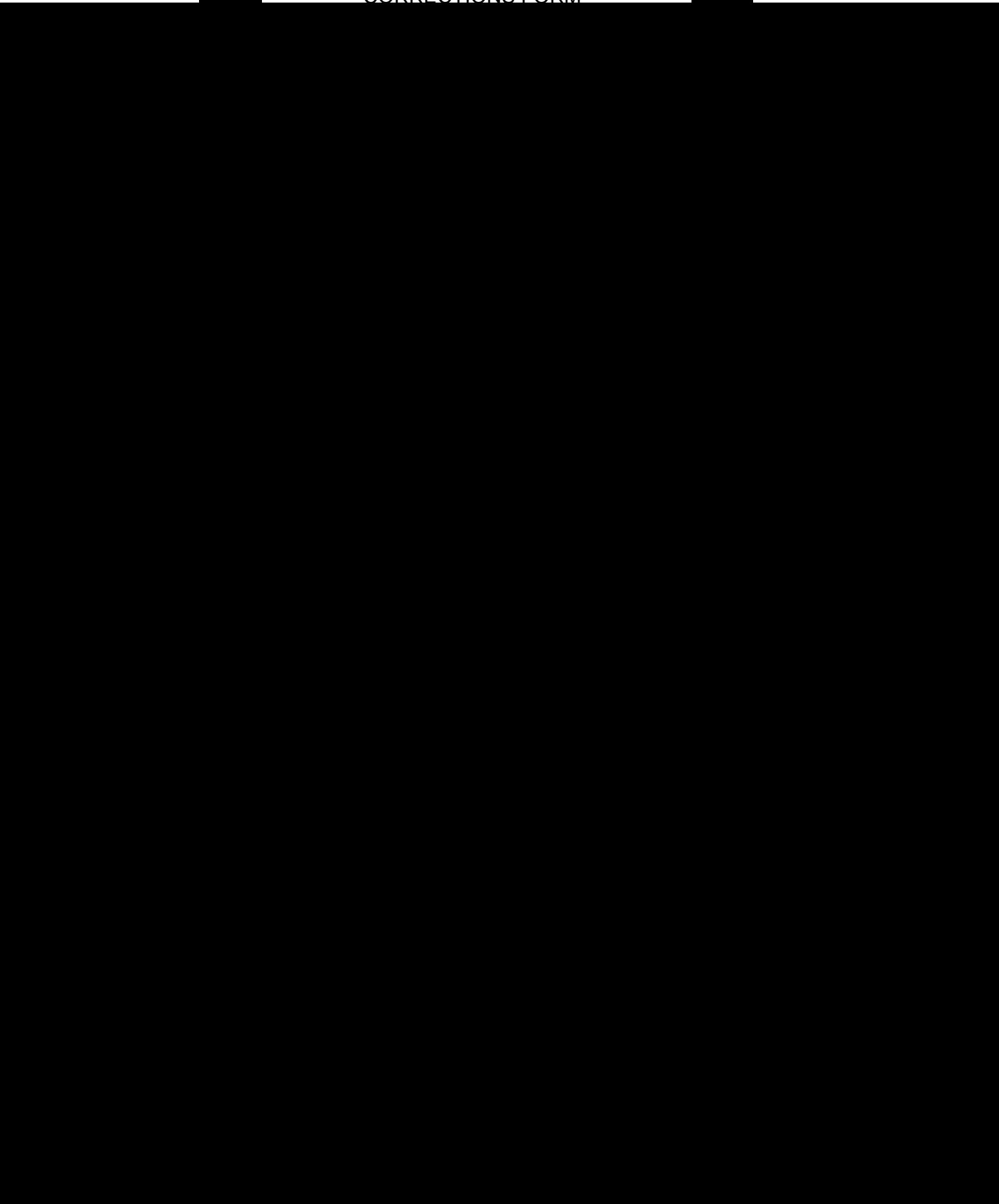


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## C1-02 DISCRIMINATION, SEXUAL HARASSMENT, AND WORKPLACE VIOLENCE

### POLICY

The Office of Justice Services (OJS) endeavors to provide a working environment free from discrimination, sexual harassment, and workplace violence and is committed to investigating all reported complaints fairly and impartially to determine whether the allegations are founded. Employees that have been exposed to, or experienced discrimination, sexual harassment, or workplace violence are encouraged to file a complaint pursuant to this directive and Federal guidelines, without fear of reprisal.

### RULES AND PROCEDURES

#### C1-02-01 GENERAL INFORMATION

##### A. Legal Basis of Equal Employment Opportunity:

1. Title VI of the 1964 Civil Rights Act, as amended, prohibits discrimination in employment or other aspects of employment such as promotion, training, discipline or discharge.
2. The Equal Pay Act of 1963 prohibits discrimination in pay based on sex.
3. The Age Discrimination Act of 1967, as amended, prohibits age discrimination of individual's age 40 or older in employment or other aspects of employment.
4. Section 503 of the Rehabilitation Act of 1973, as amended, prohibits discrimination in employment or other aspects of employment based on physical or mental handicap, including alcohol and drug abuse.
5. In 1980, the Equal Employment Opportunity Commission issued comprehensive guidelines on the issue of sexual harassment in the workplace. These guidelines define sexual harassment as a type of sexual discrimination prohibited under Title VII of the Civil Rights Act of 1964.

##### B. "Indian Preference" Consistent with EEO Requirements

The Bureau of Indian Affairs treats all employees and applicants for employment equally when considered for employment or the benefits of employment regardless of race, color, sex, religion, national origin, age, mental or physical health (handicap), or sexual orientation. At the same time, the Bureau is committed to implement "Indian preference" in selection for vacancies or other opportunities when qualified preference-eligible Indians are available.

- C. OJS must also ensure that a safe work environment exists for all employees. Any employee experiencing or observing violence in the workplace must immediately report the incident to a supervisor for appropriate safety measures.

#### C1-02-02 SEXUAL HARASSMENT

##### Prohibited Conduct:

1. Threatening or implying that an employee's refusal to submit to sexual favors or advances may adversely affect the employee's employment, performance evaluation, wages, promotion, assigned duties, shifts, or any other condition of employment or career development.
2. Threatening or implying that a job applicant's refusal to submit to sexual favors or advances may adversely affect employability.
3. Creating a sexually harassing environment by such actions as offensive sexual flirtation, advances, propositions, verbal abuse of a sexual nature, displays of sexually graphic materials, graphic verbal commentaries about an individual's body, sexually degrading words, remarks concerning sexual preference, or such other sexually offensive conduct that has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment,
4. Taking retaliatory action of any kind against any employee as a result of that person's seeking redress for, or complaining of sexual harassment or discrimination.
5. Exhibiting any other behavior that falls within the definitions of sexual harassment as described in 29 CFR 1614.

#### C1-02-03 DISCRIMINATION AND SEXUAL HARASSMENT

##### Access to EEO Complaint Process

EEO complaint processing procedures are established under 29 CFR 1614. Division SSA's District Special Agents in Charge/Agency Chiefs of Police/District SCS/Facility SCS or SCO will post this information and will identify the person responsible for investigating equal employment opportunity complaints at his/her location.

#### C1-02-04 COMPLAINT PROCESSING

- A. Employees who believe that they have been discriminated against on the basis of race, color, religion, sex, national origin, age, handicap, or retaliation, will consult with an Equal Employment Opportunity (EEO) counselor prior to filing a complaint to try to informally resolve the matter.

- B. Employees must present the matter for informal resolution within 45 calendar days of the incident, or, if a personnel action, within 45 days of the effective date of the action.
- C. The EEO counselor will conduct the final interview with the employee within 30 days of the date when the matter was referred to the EEO.
  - 1. The EEO counselor may extend the counseling period for an additional 60 days if the employee agrees in writing to postpone the final interview.
  - 2. If the agency has established a dispute resolution procedure and the employee agrees to participate, the EEO counseling period will be ninety days.
- D. The EEO counselor will provide the employee with a notice of the employee's right to file a formal complaint.
- E. The employee must file the formal complaint within 15 calendar days of the EEO counselor's notice of the final interview. The fifteen days may be extended if the employee shows that he/she was not notified of the time limit, was not otherwise aware of it, or was prevented from filing the complaint in a timely manner because of circumstances beyond the employee's control.
- F. Failure to contact the EEO counselor within the 45-day time limit or failure to file the complaint within the 15-day time limit may result in dismissal of the complaint.
- G. If the employee needs help in preparing the complaint, the EEO counselor may help the employee or the employee may secure help from a representative of his/her choice.
- H. An employee will file the written complaint using DOI Form 1892, with the Bureau Equal Opportunity Officer where the alleged discriminatory incident occurred, the Secretary of the Interior, or with the EEO Official, Office for Equal Opportunity, U.S. Department of the Interior.
- I. Employees may have a representative of choice at all stages of the complaint processing. Employees must designate the representative in writing, giving full name and address.
- J. See U.S. Department of the Interior Discrimination Complaint Processing Procedures under 29 CFR 1614.

### C1-02-05 OJS DIVISION SUPERVISORY SPECIAL AGENT, DISTRICT SPECIAL AGENT IN CHARGE, POLICE CHIEFS', DISTRICT/FACILITY SCS/SCO RESPONSIBILITIES

The Division SSA, District Special Agent in Charge, Agency Chief of Police, Supervisory Special Agent, District Supervisory Correctional Specialist, or Facility SCS/SCO will take the following steps to ensure that the investigation can proceed without conflict between the involved parties:

1. Ensure that a supervisor immediately addresses and investigates the employee's concerns and expeditiously initiates appropriate safety measures.
2. Issue written orders to the involved parties to avoid contact pending the investigation.
3. If necessary, remove one or more of the involved individuals to a different assignment to improve the working environment pending the investigation. If the complainant submits an unsolicited request for reassignment, it will be considered.

### C1-02-06 WORKPLACE VIOLENCE

Employees must refrain from committing any physical attack, verbal harassment, and/or property crimes toward another employee. Employees will comply with this policy and immediately notify their supervisor of any violations. Troubled employees often exhibit unusual, aggressive, or disturbing behavior. Some early warning signals are:

1. Making verbal statements that reflect exceptional anger or hostility.
2. Exhibiting an increased frequency of aggressive acts.
3. Making conditional threats.
4. Starting rumors designed to damage the reputation of others.
5. Stealing or destroying property of others.
6. Demonstrating low levels of violence and aggression.
7. Verbalizing statements that suggest intent to commit physical harm, or statements made in a hypothetical context.

### C1-02-07 REPORTING VIOLATIONS OF WORKPLACE VIOLENCE

- A. Employees will immediately report the violation to their supervisor. Supervisors are responsible for initiating action e.g. notifying superiors, Internal Affairs, and referring the employee to EAP.
- B. Emergency assistance will be requested in the event of death or serious injury.
- C. Personnel, including supervisors that fail to report incidents or threats of violence are subject to discipline, including removal from federal service.

## C1-02-08 SUPERVISORY RESPONSIBILITIES

- A. Supervisors will immediately address and investigate an employee's concerns and expeditiously initiate appropriate safety measures.
- B. Issue written orders to the involved parties to avoid contact pending the investigation.
- C. Assign one or more individuals to another assignment.
- D. Identify training courses for conflict resolution or stress.
- E. If the investigation reveals that an employee has violated policy, discipline should be initiated and the employee should be referred for counseling or to the Employee Assistance Program.
- F. All incidents meeting the criteria for investigation by Internal Affairs shall be forwarded for investigation.



Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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## C1-03 SEXUAL MISCONDUCT

### POLICY:

Sexual misconduct of any kind is not condoned and is strictly prohibited. OJS personnel found guilty of sexual misconduct will be severely disciplined and prosecuted to the full extent of the law.

### DEFINITIONS:

- A. Criminal Sexual Misconduct: The abuse of authority by Office of Justice Services personnel for sexual purposes that violate the law.
- B. Sexual Misconduct: Any sexual activity while on-duty or stemming from official duty which includes but is not limited to the use of official position and official resources to obtain information for purposes of pursuing sexual conduct.
- C. Intimate Parts: Genital area, inner thigh, buttocks, or breasts of a person.
- D. Sexual Contact: Any contact for the purpose of sexual gratification of the OJS employee with the intimate parts of another person while serving in a corrections capacity.

### RULES AND PROCEDURES

#### C1-03-01 PROHIBITED PRACTICES

- A. Sexual Misconduct is prohibited and shall be disciplined up to and including termination.
- B. Any on duty contact by an OJS employee with the intimate parts of a citizen for the purpose of sexual gratification is prohibited.
- C. An OJS employee shall not engage in sexual contact with another person who is in the custody of corrections/detention when such employee has supervisory or disciplinary authority over that person.

#### C1-03-02 TRAINING

All OJS employees will receive specific training about the elements of sexual misconduct involving corrections/detention personnel.

### C1-03-03 REPORTING REQUIREMENTS

- A. Any employee of the Office of Justice Services, Directorate of Operations, who is made aware of any violation of this directive from any source, is required to report the alleged violation to their supervisor. The supervisor will immediately contact the Internal Affairs Division, who will immediately initiate an investigation in accordance with established OJS policy. The investigation may involve other investigative elements of OJS as necessary, and any forensic evidence will be protected and processed immediately.
- B. The accused OJS employee's supervisor will not attempt to resolve a complaint of this nature with the complainant, and is required to make immediate contact with Internal Affairs through the chain of command.
- C. The accused OJS employee's supervisor will contact OJS Labor Relations for direction and guidance.

### C1-03-04 DISCIPLINE

- A. Any OJS employee found to be in violation of this directive shall be disciplined up to and including termination in accordance with Department of Interior 370 DM 752 "Discipline and Adverse Actions". Criminal charges will be filed when appropriate.
- B. Any OJS employee having knowledge of a violation of this directive who fails to report the violation shall also be disciplined up to and including dismissal, and criminal charges will be filed, when appropriate,
- C. If the violation involves supervisory personnel, the reporting employee will notify the appropriate command level officer and will not be strictly held to his or her chain of command.



## C1-05 DRUG TESTING

### POLICY

The Office of Justice Services (OJS) has the right and authority to require employees to submit to substance analysis for the protection of the public and the well-being of the employee. OJS complies with the Department of the Interior's Drug Testing Requirements.

### RULES AND PROCEDURES

#### C1-05-01 GENERAL INFORMATION

- A. The recreational or experimental use of any controlled substance by an OJS employee is prohibited. No employee shall be on duty while under the influence of intoxicants or drugs nor purchase any in uniform, on or off duty.
- B. Upon reporting for duty, an employee shall notify his/her supervisor of any controlled or prescribed drugs or internal medications being used that may adversely impair on-duty performance.
- C. Circumstances when substance testing may occur:
  - 1. As a part of a medical examination provided for applicants.
  - 2. As a part of a routine medical examination provided for employees.
  - 3. Reasonable suspicion.
  - 4. Random testing of identified employees in sensitive positions.
  - 5. Vehicular or physical accidents.
  - 6. Voluntary submission.
  - 7. As a follow-up to counseling or rehabilitation for substance abuse.
  - 8. When an officer is involved in a use of deadly force incident.
- D. Refusal to submit to a substance test when required may result in discipline up to and including termination.

#### C1-05-02 DRUG TEST FOR EMPLOYMENT APPLICANTS

- A. Applicants for the position of sworn law enforcement officer/corrections officer are tested for drug or narcotic usage as a part of their pre-employment medical examination. The examining physicians will follow the testing procedure and safeguards set forth in this order and others involved in the testing procedure.

- B. Refusal to take the test, or test results reporting a presence of illegal drugs or narcotics is the basis of discontinuing an applicant in the selection process.
- C. An applicant failing the first test may reapply for the position of sworn law enforcement officer/corrections officer after one year if the use or possession did not constitute a felony. Applicants who previously refused the test are not eligible for further consideration.
- D. Any use or possession that constitutes a felony precludes any further consideration of employment.
- E. Applicants found to be involved in the illegal sale, manufacture, or distribution of any narcotic drug will be permanently rejected.
- F. Applicants demonstrating addiction to any narcotic drug will be permanently rejected.
- G. Any improper use of any narcotic drug by an applicant after job application is grounds for permanent rejection.
- H. The results of drug tests on applicants for the position of sworn police officer/corrections officer shall be kept confidential.

**C1-05-03 DRUG TESTING OF CURRENT EMPLOYEES FOR "REASONABLE SUSPICION" (PER EXECUTIVE ORDER 12564 OF 9/15/1986)**

- A. A supervisor may order a drug test on a "reasonable suspicion" basis, when there is documentation that:
  - 1. An employee is impaired or under the influence of a substance.
  - 2. The employee exhibits reduced productivity, vehicle accidents, high absenteeism, or other behavior inconsistent with previous performance and there is "reasonable suspicion" to believe that the employee is impaired.
  - 3. All employees, regardless of rank or assignment, are subject to reasonable suspicion testing and may be subject to testing under other facets of the drug-testing program.
- B. All employees may also be ordered to take a drug test as a result of an incident or allegation:
  - 1. Where the allegation involves the use, possession, or sale of drugs or narcotics;
  - 2. Where the allegation involves the actual use of force;
  - 3. Where there is serious on-duty injury to the employee or another person.

- C. When there is reasonable suspicion to order a drug test, the supervisor will forward a report containing the facts and circumstances directly to the Special Agent in Charge/District SCS and PSD for possible investigation. The supervisor will make the contents of the documentation available to the employee.

#### C1-05-04 TESTING OF EMPLOYEES DURING ROUTINE MEDICAL EXAMINATIONS

Drug testing is a part of any routine medical examination required for any position change, promotion or specialized assignment.

#### C1-05-05 VEHICULAR OR PHYSICAL ACCIDENTS

If substance abuse is suspected, then distinguishing characteristics should be documented that could connect the employee's behavior or conduct to substance abuse.

#### C1-05-06 VOLUNTARY SUBMISSION

Employees may realize that they have a substance abuse problem and may voluntarily bring the problem to a supervisor's attention and enter into EAP before being mandated to submit to drug testing. The supervisor shall follow the established procedure for an employee to submit to drug testing.

#### C1-05-07 DRUG TESTING PROCEDURES

The Office of Justice Services Deputy Director or designee will initiate and maintain a drug testing program.

#### C1-05-08 DRUG TEST RESULTS

- A. All records pertaining to agency required drug tests remain confidential and are not provided to other employees or agencies without the written permission of the person whose records are sought.
- B. Drug test results and records will be stored and retained in compliance with federal law or for an indefinite period in a secured area where there is no applicable federal law.
- C. Employees having negative drug test results will receive a memorandum stating that no illegal drugs were found. If the employee requests such, a copy of the letter will be placed in the employee's personnel file.
- D. Any employee who breaches the confidentiality of testing information is subject to discipline.

- E. Test results reporting a presence of illegal drugs or narcotics, or the use of prescription drugs without a prescription, or the abuse of any over the counter drug will be submitted as a part of a written complaint by the District SCS, requesting personnel action.

#### C1-05-09 MANAGING AN IMPAIRED EMPLOYEE

- A. When it is determined that an employee is impaired, he/she may be placed on administrative leave pending HR review. The Facility SCS will consult with HR through the chain of command to determine the status of the employee and request direction.
- B. Upon determining that an employee is impaired, do not allow that individual to operate a motor vehicle or any type of machinery. It may be necessary for another employee to take the person home.
  - If the employee arrived at the facility in an impaired condition, consider whether the employee violated the law, i.e. was DUI.
- C. The Facility SCS will notify the Chief of Corrections through the chain of command.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010      BIA ADF-1A-11

## C1-06 PERSONAL APPEARANCE AND HYGIENE

### POLICY

Employees shall present a neat and clean appearance while in the performance of their duties and when representing the organization.

### RULES AND PROCEDURES

#### C1-06-01 GENERAL INFORMATION

- A. All OJS employees, while on duty, will be well groomed and present a clean appearance. Clothing and footwear will be clean and properly cared for.
- B. All officers must individually evaluate officer safety considerations versus personal appearance preferences when considering the below listed rules and procedures.
- C. Uniformed officers will comply with the following rules regarding hair:
  - 1. Hair will be restrained so that it does not become a safety hazard.
  - 2. Items used to secure long hair (i.e. elastic bands, barrettes) will be conservative in appearance and will not detract from the officer's professional appearance.
  - 3. Hair will not be styled or colored in an extreme manner.
  - 4. Hair will be neat and clean.
  - 5. The hairstyle selected will be conducive to wearing the uniform hat.
- D. Male uniformed officers will meet the following rules regarding facial hair:
  - 1. Sideburns will be neatly trimmed.
  - 2. Mustaches will be neatly trimmed.
  - 3. Beards that are neatly trimmed are permissible.
- E. Fingernails will be clean and will not restrict the ability of corrections officer to perform essential functions such as searches, application of restraints, application of control techniques, etc.
- F. The level of personal hygiene must be conducive to the work environment. Colognes or perfumes should not be overwhelming, to the point of distraction.
- G. Markings on the body that are offensive such as tattoos or "hickies" must be covered due to the possibility of causing disruptive or negative behavior by inmates. Reporting to work with visible "hickies" will result in disciplinary action.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010      BIA ADF-1A-11

#### C1-06-02 PERSONAL JEWELRY AND ORNAMENTATION

- A. Officers may wear jewelry, only if it is in good taste. Generally, this is limited to wristwatches, wedding bands, or other conservative types of rings. Specifically prohibited are earrings or other items of jewelry that detract from the organizations image or constitute a potential safety hazard. Personnel may wear only one set of stud earrings at a time. Dangling earrings are prohibited while in uniform.

#### C1-06-03 USE OF TOBACCO

- A. Personnel may use tobacco when they are in a designated smoking area and on personal break. This includes the use of smokeless tobacco.
- B. The use of tobacco is prohibited when in a government building or a government vehicle.

#### C1-06-04 GLASSES

- A. Personnel shall wear prescription glasses which are conservative in design.
- B. Sunglasses should be removed when addressing the public, management, and the Court unless medically required.

#### C1-06-05 ATTIRE FOR TRAINING CLASSES

When attending training, all detention employees will wear casual business attire or the class A uniform unless otherwise directed by a supervisor.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## C1-07      PHYSICAL FITNESS

### POLICY

Because the safety of both staff and inmates and the security of the facility is of paramount importance, the Facility SCS will ensure that all personal maintain a level of fitness that enables the employee to perform their routine job related functions and respond to all emergency situations.

### RULES AND PROCEDURES

#### C1-07-01 GENERAL INFORMATION

- A. The Facility SCS will make provision for an annual medical examination by a qualified medical professional. This is necessary to ensure that each employee is physically capable of carrying out their duties and to prevent the spread of infectious disease.
- B. At the discretion of the facility SCS and approval by the Chief of Corrections, officers may be authorized on-duty time to participate in a structured physical fitness program up to 3 hours per week.
- C. If an employee has a medical condition that could create a hazardous environment or impair the ability of the employee to perform their duties, this condition must be reported to the Facility SCS through the employee's chain of command at the earliest possible opportunity.

BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

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## C1-09 COUNSELING AND PSYCHOLOGICAL SERVICES

### POLICY

In order to maintain a stable and well adjusted workforce to provide the community with the best possible service, OJS is committed to screen out detention applicants who do not meet psychological standards, assist employees who experience stress-induced or other emotional problems, and evaluate employees with performance problems who may need counseling. Whenever appropriate, employees will be referred to the Employee Assistance Program for counseling assistance.

### RULES AND PROCEDURES

#### C1-09-01 CONFIDENTIALITY OF PSYCHOLOGICAL SERVICES

- A. All communication between a counselor and an employee is considered privileged by OJS except:
  - 1. Matters which involve violations of the law,
  - 2. If there is an indication that the employee presents an immediate physical danger to himself/herself or others, or
  - 3. The employee waives the privilege.
- B. Employee participation in counseling services will not jeopardize job security or promotional opportunities. Failure to correct deficiencies in job performance may eliminate promotional consideration and may jeopardize continued employment.

#### C1-09-02 AVAILABLE PROGRAMS/SERVICES

The Office of Justice Services recognizes and supports seven programs/ services available when psychological counseling and/or evaluation may be appropriate:

- 1. Pre-employment Psychological Evaluation.
- 2. General Assistance Counseling, (Employee Assistance Program)
- 3. Performance Counseling,
- 4. Critical Incident Debriefing-Peer Support
- 5. Early Identification System,
- 6. Post Traumatic Stress Counseling,
- 7. Fitness for Duty Determination,

### C1-09-03 PRE-EMPLOYMENT PSYCHOLOGICAL EVALUATION

A psychological evaluation will be used to screen applicants for detention positions where evaluation is deemed appropriate. A psychological evaluation will be administered prior to employment pursuant to federal employment guides.

### C1-09-04 GENERAL ASSISTANCE COUNSELING

- A. Employees are encouraged to seek professional counseling to alleviate stress-induced, emotional, or relationship problems. Through voluntary or mandatory identification, OJS will provide short-term counseling and referral service to employees experiencing stress-induced or other emotional problems.
- B. The Employee Assistance Program is available to all employees to assist in the identification and resolution of concerns or problems (personal or job related) that may adversely affect an employee's personal or professional well-being or job performance. These personal concerns may include, but are not limited to health, marital status, family, financial, substance abuse, emotional stress, and other personal matters.

### C1-09-05 PERFORMANCE COUNSELING

- A. The supervisor and employee will work together in the resolution of problems which may be symptomatic of underlying personal or interpersonal problems that are manifested in job performance. This process is not associated with the disciplinary process or considered as an alternative to discipline. It is used to address less than satisfactory employee performance which is based solely on observable deficient or deteriorating job performance.
- B. Supervisor Responsibilities Facilitating Performance Counseling:
  - 1. Identify the observable performance errors and declining job performance in specific terms.
  - 2. Outline expectancies for desired performance change.
  - 3. Agree on a time frame for instituting the desired changes.
  - 4. Agree on the dates and times of feedback sessions during the agreed upon time frame.
- C. If the supervisor does not see satisfactory improvement within the agreed time limit, discipline or referral must be considered.

#### C1-09-06 CRITICAL INCIDENT DEBRIEFING-PEER COUNSELING

As soon as possible following a critical incident, involved officers will have peer support made available to them. However, it is extremely important that those individuals selected as Peer Counselors receive appropriate training on this topic. The COC, District and Facility SCS's will select individuals to be Peer Counselors and ensure that they are appropriately trained.

#### C1-09-07 EARLY IDENTIFICATION SYSTEM

Established under the purview of OJS Internal Affairs, this system provides a systematic review of complaints and Use of Force incidents among employees. Utilized in conjunction with other criteria in this directive, problems that may or not be stress or performance related can be determined.

#### C1-09-08 POST TRAUMATIC STRESS COUNSELING

- A. When an employee causes serious physical injury or death to a person, or is involved in a serious accident or other serious contact or trauma, the supervisor will temporarily reassign the employee to administrative duties until an administrative review of the circumstances can be conducted. Involvement in these types of traumatic incidents may lead to poor performance or other stress-induced problems.
- B. When poor job performance is demonstrated, it is the supervisor's responsibility to determine what is causing the poor performance and take corrective action. This may include consultation with a health care professional.

#### C1-09-09 FITNESS FOR DUTY DETERMINATION

- A. The District/Facility SCS has a responsibility to ensure that all detention personnel under his/her command are physically and mentally fit for duty. At the beginning or during a tour of duty, when an officer appears unfit for duty, he/she will be relieved from duty by a supervisor until his/her fitness can be properly determined. This may require a "Fitness for Duty" examination by a health care professional, to be determined by the appropriate supervisor in association with Labor Relations and HR.

B. Fitness for Duty Examinations

Fitness for duty determinations, based on mental health issues, must be determined by a licensed psychologist or psychiatrist, who has experience in working with criminal justice organizations in association with Labor Relations and HR.

C1-09-10 AVAILABILITY OF EMPLOYEE COUNSELING SERVICES

- A. Each district/facility SCS will maintain a current list of resources that are available to employees through the Employee Assistance Program (EAP), or local counseling programs, and how employees have access to these programs for general assistance counseling.
- B. Each District SCS will maintain a current list of regional psychological service providers that are used to determine fitness for duty. The Office of Justice Services will maintain a list of resources for psychological services to evaluate and treat post-traumatic stress.

C1-09-11 IDENTIFICATION OF EMPLOYEES NEEDING ASSISTANCE

- A. The COC and District SCS will ensure that all supervisory personnel under his/her command have received training in EAP and other mental health services available; the supervisor's role and responsibility; and identification of employee behaviors which would indicate the existence of employee concerns, problems, and/or issues that could impact employee job performance.
- B. The District/Facility SCS's or supervisors will observe employee job behaviors and performance to assess employees' abilities to carry out their duties.
- C. If the SCS or supervisor observes any of the following behaviors, he/she will meet with the employee to discuss the observation:
  - 1. A series of sustained citizen/inmate complaints,
  - 2. Repeated complaints of the same nature,
  - 3. Abrupt changes in expected detention responses and/or behavior which may be indicative of serious emotional disturbance, including, but not limited to, excessive and continuous tardiness, absenteeism, sleeping during duty hours, excessive impatience, violent reaction to others, over-eating, non-eating, poor personal appearance, poor physical conditioning, and or suspicion of drug or alcohol abuse, or
  - 4. Involvement in a major incident that results in death or serious injury to any of the parties involved, including shooting incidents.

- D. The COC, SCS, or supervisor will make a determination as to which type(s) of referral to make, when appropriate. More than one referral may be appropriate, e.g., the SCS may refer the employee for post-traumatic stress counseling and for a fitness for duty determination.
- E. SCS's, incident commanders, or supervisors who are involved in an incident in which there is the potential for employees to be affected by post-traumatic stress syndrome will include information about the availability of post-traumatic stress counseling in their debriefing. An employee may request referral for post-traumatic stress counseling.

#### C1-09-12 REFERRAL FOR COUNSELING SERVICES

- A. Employees may refer themselves to the Employee Assistance Program (EAP) and, with the concurrence of the COC, SCS, to post-traumatic stress psychological services. The COC and SCS may also refer employees to post-traumatic stress psychological services directly.
- B. The SCS will allow employees to make their own decision regarding where counseling services will be delivered except when:
  - 1. The purpose of the referral is to determine fitness for duty, or
  - 2. The purpose of the referral is to identify and/or treat post-traumatic stress syndrome associated with the employee's detention duties.
- C. The SCS or supervisor may:
  - 1. Request confirmation of participation in the counseling referral elected by the employee, and
  - 2. Take administrative actions relative to the employee's status permitted by personnel regulations, standards, policies, directives, or procedures.
- D. If the Chief of Corrections, District SCS, or Facility SCS decides to request a Fitness for Duty Examination, he/she will consult with the appropriate personnel officer and then initiate the referral to the local health care provider. The Facility SCS is responsible for the cost of this evaluation.
- E. After initial consultation, the health care provider will make a recommendation to the personnel officer and the SCS, of the employee's fitness for duty, recommendations for treatment, and prognosis.
- F. Based on these recommendations, the SCS will make a determination to:
  - 1. Return the employee to duty,
  - 2. Refer the employee to counseling,
  - 3. Reassign the employee, or
  - 4. Terminate the employee.
- G. If any personnel process is required, the SCS will consult with the applicable personnel officer and comply with applicable personnel regulations.



Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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## C1-10 OFF-DUTY EMPLOYMENT

### POLICY

OJS permits detention staff to work off-duty employment when this employment does not conflict with the employee's primary job function, the criteria for engaging in off-duty employment is met, and the employee is available for immediate call-out in case of an emergency.

### RULES AND PROCEDURES

#### C1-10-01 GENERAL

- A. Guidelines for Off-Duty Employment  
OJS guidelines for off-duty employment are consistent with 18 U.S.C. Section 209 and the standards of conduct for all federal or tribal employees.
- B. Restriction on Hours Worked  
A detention employee may work a maximum of 24 hours of off-duty employment; or a total of 64 hours in combination with regular duty in each calendar week.
- C. Off-Duty Work Scheduling  
Work hours for all off-duty employment must be scheduled in a manner that does not conflict or interfere with the employee's performance of duty.
- D. Call-Outs  
A detention employee engaged in any off-duty employment is subject to call-out in case of emergency, and is expected to leave his/her off-duty employment in such situations.
- E. Limitations on Off-duty Employment  
To be eligible for off-duty employment, an employee must meet the criteria for off-duty employment.

#### C1-10-02 CRITERIA FOR OFF-DUTY EMPLOYMENT

- A. The employment presents no potential conflict of interest between the employee's duties as a detention employee and his/her duties for the off-duty employer. Some examples of employment representing a conflict of interest are:
  - 1. As a process server, re-possessor, bill collector, or in any other employment in which OJS authority might tend to be used to collect money or merchandise for private purposes.

2. Personnel investigations for the private sector or any employment that might require the officer to have access to detention information, files, records, or services as a condition of employment.
  3. Any employment that assists, in any manner, the case preparation for the defense in any criminal or civil action or proceeding. See also, 18 U.S.C. Section 205.
- B. The employment does not constitute a threat to the status or dignity of detentions as a professional occupation. Examples of employment presenting a threat to the status or dignity of the detentions profession include but are not limited to:
1. Establishments that sell pornographic books, magazines, sexual devices, or videos, or that otherwise provide entertainment or services of a sexual nature.
  2. Any employment involving the sale, manufacture, or transport of alcoholic beverages as the principal business.
  3. Any gambling establishment.

#### C1-10-03 APPROVAL OF OFF-DUTY EMPLOYMENT

- A. A request to work off-duty employment will be submitted in writing describing the nature of the employment, days and times, and duration of the employment to the District or Facility SCS, depending on chain-of-command, for approval prior to the employee working off-duty employment. A copy of the approved/disapproved request will be forwarded to the employee's personnel file.
- B. Permission for a detentions employee to engage in outside employment may be revoked when it is determined by the Facility or District SCS, or any other supervisor that the outside employment or the employee no longer meets the criteria for off-duty employment.
- C. An employee may be compensated while on annual leave status by his/her regular off-duty employment if all other requirements of this policy have been fulfilled.



Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## C1-20 UNIFORM STANDARDS

### POLICY

Uniform, insignia, and uniform accessories shall be standardized for all detention staff assigned to BIA-OJS detention facilities and Transport Units.

### RULES AND REGULATIONS

#### C1-20-01 GENERAL

- A. The Office of Justice Services provides for the clothing and equipment used by employees in performing essential detention and support functions
- B. OJS establishes proper attire to be worn when officially representing the Bureau.
- C. All staff are required to wear designated official uniforms when on duty unless directed otherwise by a supervisor. No combination of uniform and civilian attire may be worn, unless authorized by supervisory staff. All staff must also have their official identification on their person at all times when performing detention duties. Uniforms, when worn, will be plainly distinguishable from the uniforms of any non-law enforcement personnel working on the reservation.
- D. The wearing of detention uniforms and equipment is restricted to on-duty status, including identification badges/credentials. Detention staff may wear their uniforms when making official appearances off-duty, when authorized by their supervisor. Detention staff may wear uniforms when traveling between their residence and their assigned duty areas.
- E. Detention uniforms will be distinctive and identify the individual wearing the uniform as a Detention Officer. No combination of police identification will be combined with the Detention uniform.
- F. Appropriate modification of the class A and class B uniform may be made for pregnant officers as long as modifications are conducive to duty performance and are approved by a supervisor.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

C1-20-02 CLASS A UNIFORM

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- B. Class "A" uniforms shall be worn for official functions, such as dignitary visits on site, inspections, funerals, and other occasions deemed necessary by supervisory staff.
- C. Class "A" uniforms will also be worn during regular duty hours. Exceptions may be made by the Facility SCS.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

### C1-20-03 CLASS B UNIFORM

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### C1-20-04 DESIGNATED UNIFORM

- A. All Detention Officers shall wear the designated official uniform when on duty, unless otherwise directed. The Class "A" uniform shall be worn for official functions; Court appearances, dignitary visits on site, off-site training, inspections, and during regular duty hours.
- B. Class "B" uniforms will be worn when detention officers are specifically instructed by a supervisor to alter protocol due to need for class B uniform.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

### C1-20-05 UNDERGARMENTS

When wearing the uniform shirt, an undershirt will be worn. It shall be white or navy blue in color and in good condition. The undershirt will be plain, without markings or designs.

### C1-20-06 ADDITIONAL EQUIPMENT-ITEMS

No equipment/items may be carried by detention officers that have not been approved by policy. Staff, when necessary, will use equipment such as handcuffs, chemical agents, baton etc., upon certification. Below are authorized items that may be carried.

1. BIA issued badge
2. Up-to-date BIA issued credentials with case.
3. Valid drivers license
4. Navy blue baseball cap with identifiable "BIA Detention" embroidered on the front
5. Handcuff case, black leather, basket weave
6. Belt keepers
7. Key ring strap w/flap, black leather basket weave
8. Handcuff and key; second pair of handcuffs optional
9. Whistle and chain
10. Tie tack/clasp - plain and gold in color, or with BIA OJS emblem
11. Glove case, black leather basket weave
12. Searching gloves, that are puncture resistant and fluid resistant
13. Latex, non latex examination gloves
14. Pins, medals which signify accomplishment within BIA (Valor, Detention Officer of Year, etc.)
15. Approved flashlight and holder

When approved by Facility SCS or higher ranking Directorate of Operations official the below listed items may be carried only by detention officers trained in their use.

16. Chemical agent carrier, black leather basket weave
17. Chemical agent dispenser
18. Baton with carrier

### C1-20-07 REPLACEMENT OF UNIFORMS

- A. Replacement of unserviceable uniforms and equipment will be made at a time announced by the supervisor. The items will be inspected and replaced as determined by the supervisor.
- B. Uniforms and equipment in need of immediate replacement may be submitted to the supervisor for appropriate action.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

- C. To receive replacement equipment, it is necessary to turn in a like number of each item to be replaced. Items that are identified as unserviceable will be discarded/and or destroyed in accordance to property management.
- D. Loss, theft, or damage to uniforms or equipment while on or off duty, to the extent they are unfit for wear or use, shall be reported to the supervisor verbally and in writing as soon as possible.
  - 1. The report must be submitted before a determination can be made regarding the replacement of the item.
  - 2. The supervisor or designee will conduct an investigation and submit the findings to the facility Supervisory Correctional Specialist/Officer (SCS/SCO).
  - 3. If the investigation clearly establishes an employee has not properly safeguarded the uniform items or equipment, the employee must make reimbursement for the value of the property. If negligence is determined, the employee may be subject to disciplinary action.

#### C1-20-08 SURRENDER OF UNIFORM AND EQUIPMENT

- A. Staff members who have been terminated, resigned, or transferred to non OJS agencies, shall return all detention property, uniforms, and equipment, including badges and credentials, in accordance with the requirements of the property management regulations and other policies, to their supervisor.
- B. Failure to turn in all required items prior to the end of the last official pay period may result in a Bill for Collection to retrieve government property or a hold being placed on the staff member's final pay. Missing or negligently damaged property may be charged to the employee. For a transfer within OJS Detention, Detention Officers and Detention Employees will retain uniforms; however, equipment will be returned to a supervisor prior to transfer. Property transfer will be documented in association with the Agency Property Officer.
- C. In the event of a death of an officer while on official duty, the supervisor or designee will ensure appropriate work related property, i.e., credentials, badges and equipment owned by the Directorate of Operations is secured. If the death occurs during off-duty hours, the supervisor or designee, using the utmost professionalism, and giving loved ones time to grieve, will attempt to obtain the same items noted above. Discretion should be used, and contact with anyone affected by the death should be accomplished in a manner of respect.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

- D. It is permissible for the family of the deceased Detention Officer to request their loved one be buried in full class "A" uniform. This request may be made to the SCS at the facility, which will be forwarded to the District Supervisory Corrections Specialist or designee for a decision. Depending on the circumstances, this request shall normally be granted.

#### C1-20-09 RESPONSIBILITY FOR UNIFORM AND EQUIPMENT

- A. Staff will sign a DI 105, Receipt of Property Form, for receipt of their initial clothing/equipment.
- B. Staff are responsible for maintaining a clean and neat uniform in good repair to include uniform accessories and issued equipment in a clean and or/polished serviceable condition.
- C. Staff shall safeguard their uniforms and equipment to ensure they are not lost, stolen, or damaged. Any lost or stolen uniform items must be immediately reported to the Facility SCS and a report written.
- D. Supervisors are responsible for ensuring all staff arriving to work are appropriately dressed and equipped to perform their duties. Failure to be in proper uniform could result in corrective action.

#### C1-20-10 UNIFORM PURCHASE

Management staff will purchase uniforms and equipment the employee requests on a yearly basis (at a time designated by the supervisor) for items they are in need of to insure compliance with uniform and equipment requirements; to include accurate sizes. Any out of compliance issued uniforms and/or equipment will be returned to the supervisor at the time when uniforms and equipment can be replaced.

#### C1-20-11 CONTROL OF BADGES AND CREDENTIALS

- A. The Office of Justice Services maintains a record of all badges and credentials assigned to each staff member.
- B. All supervisors will conduct an annual accountability inventory of all badges and credentials for staff under their supervision, in association with the Property Officer.
- C. A staff member who loses a badge or credential shall immediately report it to their supervisor verbally, complete an incident report, and forward it to their supervisor. Supervisors will notify the Property Officer and appropriate supervisors in their chain-of-command, and provide a copy of the incident report.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

- D. If either of these two items is lost outside a facility, the staff member shall immediately file a police report within the jurisdiction the item was lost. If possible, a copy of this report shall be obtained at this time, and submitted to the staff member's immediate supervisor upon return to duty.
- E. If a copy of the police report could not be obtained, the supervisor shall follow up with the proper jurisdiction to obtain a copy.

#### C1-20-12 FOOD SERVICE UNIFORM

(b) (7)(E)

[REDACTED]

- B. All Food service personnel will wear the same uniform, determined by the Chief of Corrections to ensure uniformity.

(b) (7)(E)

[REDACTED]

- D. Food service and other auxiliary staff are authorized to wear an overcoat or windbreaker/waterproof type jacket for use in inclement weather.



Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010 BIA ADF-1B-01

## C1-22 VEHICLES

### POLICY

All vehicles assigned to Corrections shall be maintained and operated as efficiently and safely as possible.

### RULES AND REGULATIONS

#### C1-22-01 VEHICLE OPERATIONS

- A. Vehicles rented by the federal government may only be driven and occupied by government employees. Inmates may be transported in rental vehicles.
- B. Vehicles shall be operated in accordance with locally established traffic laws.
- C. Seat belts shall be used by operators and passengers.
- D. All vehicle collisions shall be immediately reported to the facility supervisor.
- E. Smoking is not permitted in any BIA owned or leased vehicle or during refueling operations.
- F. All vehicles shall be provided with an approved fire extinguisher and safety emergency equipment kit.
- G. Maintenance on all detention vehicles will be accomplished in accordance with the vehicle maintenance schedule noted in the vehicle driver's manual.
- H. Operators of the detention vehicles shall not attempt to push start vehicles.
- I. All operators will conform to federal guidelines regarding use of cell phones.

#### C1-22-02 TRANSPORTATION OF INMATES AND STAFF

- A. Any truck used for transporting persons shall be fitted with seats or benches that are rigidly affixed to the truck bed along with side rails. Flatbed trucks will not be used.
- B. Workers shall not be transported in dump trucks.
- C. Drivers shall not permit persons to get on or off the vehicle while it is in motion.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010      BIA ADF-1B-01

### C1-22-03 SEAT BELTS

- A. OJS staff shall wear a seat belt whenever driving or occupying a vehicle while on official Bureau business.
- B. All vehicles except buses used to transport persons shall be equipped with seat belts for each occupant. A minimum of one seat belt extender will be kept with each vehicle. Any other vehicle or machinery where the operator is the only person in the vehicle shall be equipped with seat belts for use by the operator.
- C. Exceptions to these requirements shall be minimal and shall be granted only after review by the local safety manager

### C1-22-04 MOTOR VEHICLE COLLISIONS OR VEHICLE DAMAGE

Local law enforcement shall be notified to investigate all collisions involving government motor vehicles. Vehicle collisions involving civilian vehicles shall be thoroughly investigated. Vehicle operators will report the collision to their supervisor as soon as possible. The Facility SCS will initiate a summary report for each motor vehicle collision to be forwarded to the District SCS upon completion of the investigation (Standard Form 91). If debt collection procedures to recover damage to a government vehicle are involved, the report shall be forwarded as soon as appropriate.

### C1-22-05 INMATE INJURIES

Injuries to inmates being transported shall be documented on the appropriate incident form as well as a SIR. Vehicle operators and their supervisors will fill out all necessary forms and reports. Recordable work injuries shall be reported on the appropriate forms which shall be maintained in the Inmate Central File, and in the Safety Office.

### C1-22-06 DRIVER LICENSING

- A. For purposes of licensing requirements, there are two categories of drivers addressed: Employee "operators" and "incidental operators". An employee operator is a staff member who is regularly required to operate Government-owned or leased motor vehicles. This vehicle operation would be in his job description. An incidental operator is an employee, other than one occupying a position classified as a motor vehicle operator, who is required to operate a Government-owned or leased motor vehicle in order to properly carry out his assigned duties. A valid commercial driver's license shall be required for individuals who fall into this category in compliance with the Federal Motor Carriers Regulations Part 383.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010      BIA ADF-1B-01

- B. All Bureau employees occupying any seating position in a motor vehicle whose seat is equipped with a seat belt, must have the seat belt properly fastened at all times when the vehicle is in motion. Additionally, seat belts must be worn by all occupants of Government owned vehicles to include leased or rented vehicles (exception: buses).
  
- C. Supervisory responsibility for assuring adherence to the following requirements resides with the head of the department using the operator or incidental operator.
  - 1. Operators (full-time drivers) must meet the following requirements:
    - a. Have a safe driving record as defined in the OPM qualification guide.
    - b. Possess a valid state license for the type and class vehicle being operated.
    - c. Drivers must comply with any restrictions noted on their license.
    - d. Pass a road test administered by the garage foreman, if the vehicle is over one ton or is for transportation of dangerous materials.
    - e. Meet the prescribed physical fitness standards for motor vehicle operators published in Chapter 930 of the Federal Personnel Manual.
    - f. Must have physical fitness testing each four years in accordance with standards established by OPM in the Federal Personnel Manual.
  - 2. Incidental Operators must meet the following requirements:
    - a. Have a safe driving record.
    - b. Possess a valid state license.
    - c. Must comply with any restrictions listed on their license.
    - d. Meet prescribed physical fitness standards for motor vehicle operators published in Chapter 930 of the Federal Personnel Manual.
    - e. Special purpose and over one ton rated vehicles shall require the operator to receive documented specialized training.
  - 3. Appropriate action may be taken against an operator or incidental operator for any of the following:
    - a. The employee is convicted of operating under the intoxicating influence of alcohol, narcotics, or pathogenic drugs.
    - b. The employee is convicted of leaving the scene of a collision without making his identity known.
    - c. A Federal Medical Officer finds the employee fails to meet the required physical standards.
    - d. The employee's state license is revoked or suspended.
    - e. The employee operates a motor vehicle in an unsafe or negligent manner.



Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010      BIA ADF-1B-01

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Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010 BIA ADF-2D-01(M)

## C1-25 EQUIPMENT AND TOOL CONTROL

### POLICY

The office of Justice Services, Corrections, will provide controls for equipment, and tools in order to ensure the protection of the public, and maintain a secure and safe environment for inmates and staff.

### RULES AND REGULATIONS

#### C1-25-01 GENERAL

- A. Each facility will designate a Tool Control Officer to be responsible for tool control. This staff member will insure the tool inventories and procedures are completed. This officer will receive training on proper equipment, tool, and key control.
- B. All facility staff are responsible for strictly adhering to the rules and procedures outlined in this directive. Failure to adhere to these rules and regulations will result in disciplinary action.
- C. The Branch of Facilities Management is responsible for maintenance of all BIA owned facility buildings.

#### C1-25-02 TOOL CLASSIFICATION

- A. All tools will be classified under three general headings:

(b) (7)(E)  
[Redacted]

- B. (b) (7)(E)  
[Redacted]

[Redacted]

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010      BIA ADF-2D-01(M)

5. (b) (7)(E) [Redacted]

C. (b) (7)(E) [Redacted]

D. Class B tools include those tools of a non-hazardous nature.

#### C1-25-03 TOOL ACCOUNTING

- A. Each institution must maintain a separate Class AA, Class A and Class B alphabetical classification list of all tools, by description and size, currently in use at that institution. Lists that give examples of tools in use are not sufficient.
- B. Tools that are a part of a set or sized sequentially by standard increments can be in a single listing. For example:

(b) (7)(E) [Redacted]

- C. For instance, the institution has a combination box/open end wrench, size 1¾", and there are no smaller or larger sizes, the wrench will be a single listing.

#### C1-25-04 TOOL IDENTIFICATION

- A. The designated officer or designee must mark the tools (steel or shank portion of the tool) in each work location with an identification symbol which identifies the storage area of the tool when not in use.
- B. Tools which cannot be marked without damage, such as surgical instruments, micrometers and small drill bits, will be inventoried and kept in locked storage areas when not in use.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010      BIA ADF-2D-01(M)

### C1-25-05 STORAGE OF TOOLS

- A. A shadow board is considered the best method of storing all tools which can be mounted; however, each facility may determine the most effective method of storing tools, If shadow boards are utilized, the following will be the required method:

(b) (7)(E)

- B. (b) (7)(E)

- C. Tools not adaptable to a shadow board must be kept in a locked drawer or cabinet and inventoried accordingly. Large items must be chained and locked to an unmovable building fixture that will prevent removal without unlocking.

- D. (b) (7)(E)

- E. (b) (7)(E)

- F. (b) (7)(E)

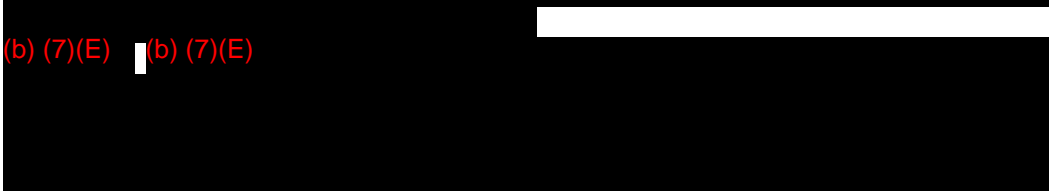
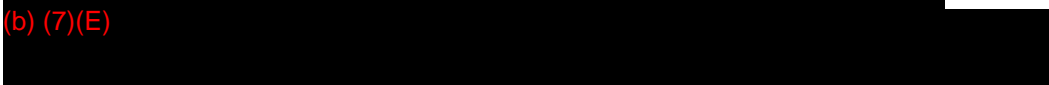
- G. (b) (7)(E)

- H. (b) (7)(E)

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010      BIA ADF-2D-01(M)

### C1-25-06 TOOL INVENTORIES

Accountability for tools is essential for the safe and secure operation of the facility. The following will be adhered to:

1. (b) (7)(E) 
2. (b) (7)(E) 
3. (b) (7)(E) 
4. (b) (7)(E) 
5. (b) (7)(E) (b) (7)(E) 
6. (b) (7)(E) 
7. (b) (7)(E) 
8. (b) (7)(E) 
9. 



Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010      BIA ADF-2D-01(M)

### C1-25-07 TOOL ISSUE

A. The following will be adhered to regarding the issue of tools:

1. (b) (7)(E) [REDACTED]
2. (b) (7)(E) [REDACTED]
3. (b) (7)(E) [REDACTED] Is  
(b) (7)(E) [REDACTED]

B. There are various methods of issuing out tools. One of the following will be utilized at BIA facilities:

1. (b) (7)(E) [REDACTED]
2. (b) (7)(E) [REDACTED]

C. The Tool Control Officer will classify the following list of tools according to recognized classification standards. Storage and issuance and control of these tools will be based on classification. The list should not be considered to be all inclusive. Other tools used will be classified and follow the same procedure.

1. (b) (7)(E) [REDACTED]
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]
5. [REDACTED]

D. (b) (7)(E) [REDACTED]

E. (b) (7)(E) [REDACTED]

F. Each of the above items must be kept in the approved storage location when not in use. (b) (7)(E) [REDACTED]

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010      BIA ADF-2D-01(M)

### C1-25-08 LOST TOOLS

The following will be accomplished when a tool(s) are lost, regardless of the classification of the tool:

1. (b) (7)(E) [Redacted]
2. (b) (7)(E) [Redacted]
3. (b) (7)(E) [Redacted]
4. (b) (7)(E) [Redacted]
5. (b) (7)(E) [Redacted]

### C1-25-09 DISPOSITION OF EXCESS TOOLS:

- A. (b) (7)(E) [Redacted]
- B. (b) (7)(E) [Redacted]

### C1-25-10 FOOD SERVICE AREA

- A. (b) (7)(E) [Redacted]

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010      BIA ADF-2D-01(M)

B. Kitchen Utensil Security and Check-out:

1. (b) (7)(E) [Redacted]
2. (b) (7)(E) [Redacted]
3. (b) (7)(E) [Redacted]
4. (b) (7)(E) [Redacted]
5. (b) (7)(E) [Redacted]
6. (b) (7)(E) [Redacted]
7. (b) (7)(E) [Redacted]
8. (b) (7)(E) [Redacted]
9. (b) (7)(E) [Redacted]
10. (b) (7)(E) [Redacted]
11. (b) (7)(E) [Redacted]

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010      BIA ADF-2D-01(M)

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Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## C1-26 KEY CONTROL

### POLICY

For the safety of staff and inmates, all facility keys will be controlled and inventoried.

### RULES AND PROCEDURES

#### C1-26-01 KEY CONTROL

The below issues regarding key control not addressed in this directive will be addressed in local written procedures. These requirements will be tailored to each facility, due to the uniqueness of individual facilities.

1. (b) (7)(E) [Redacted]
2. (b) (7)(E) [Redacted]

#### C1-26-02 KEY RESPONSIBILITY

The Facility SCS will:

(b) (7)(E) [Redacted]

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

### C1-26-03 KEY CATEGORIES

(b) (7)(E)

[Redacted text block]

### C1-26-04 KEY STORAGE AND ISSUE

A. (b) (7)(E)

[Redacted text block]

B. (b) (7)(E)

[Redacted text block]

C. (b) (7)(E)

[Redacted text block]

D. The facility will:

(b) (7)(E)

[Redacted text block]

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

(b) (7)(E) [Redacted]

C1-26-05 EMERGENCY KEYS

The facility will:

(b) (7)(E) [Redacted]

C1-26-06 RESTRICTED KEYS

(b) (7)(E) [Redacted]

[Redacted]

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

(b) (7)(E) [Redacted]

### C1-26-07 KEY ACCOUNTABILITY

A. (b) (7)(E) [Redacted]

[Redacted]

B. The Facility SCS must authorize all and any changes that may affect the inventory.

C. [Redacted]

D. (b) (7)(E) [Redacted]

E. (b) (7)(E) [Redacted]

### C1-26-08 LOST OR MISPLACED KEYS

Facility staff will:

(b) (7)(E) [Redacted]



Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

### C1-26-09 DUPLICATION OF KEYS

(b) (7)(E) [Redacted text block]

### C1-26-10 LOCKSHOP OPERATIONS

(b) (7)(E) [Redacted text block]

### C1-26-11 STAFF TRAINING

(b) (7)(E) [Redacted text block]

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

(b) (7)(E)  
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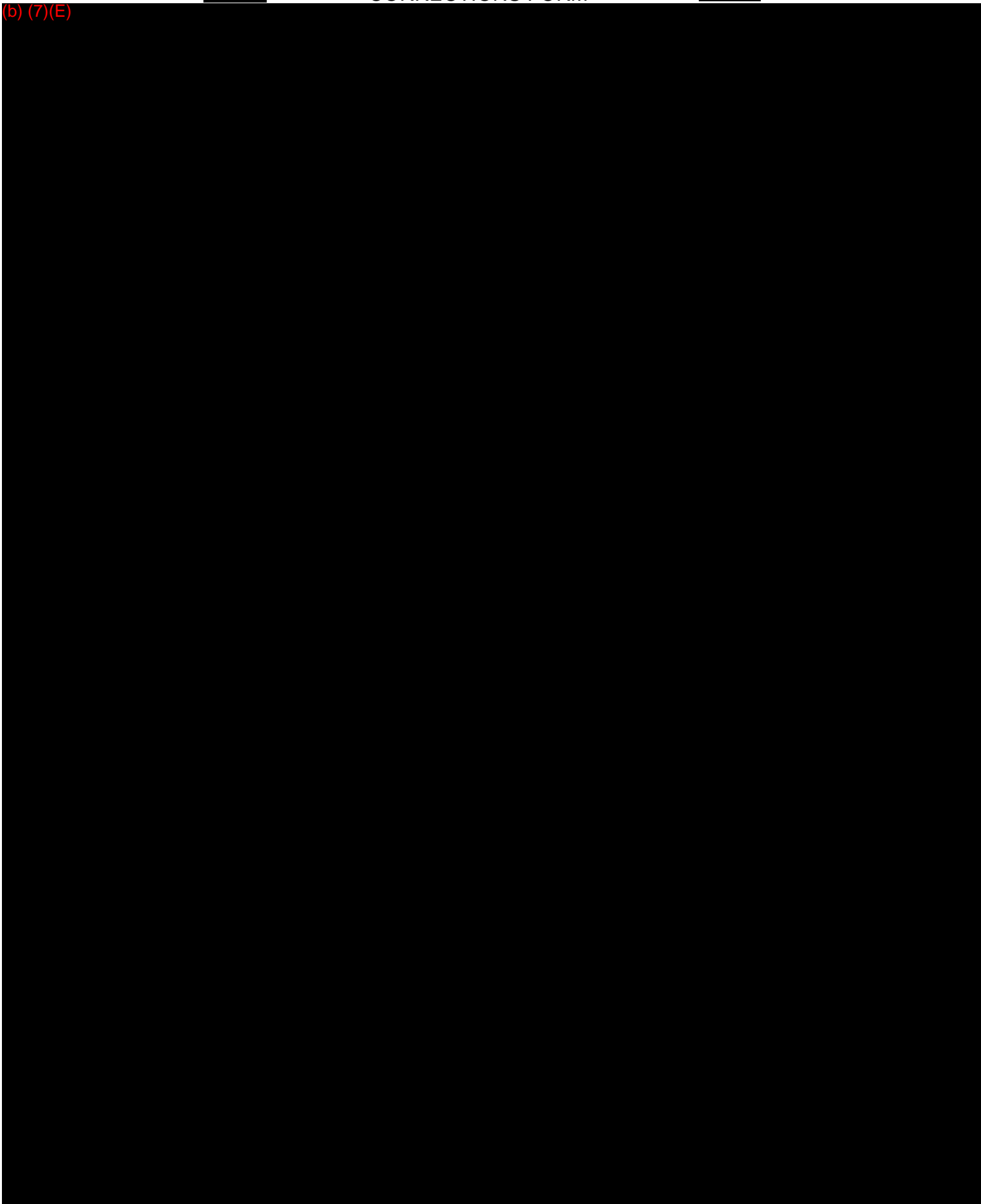
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\*CORRECTIONS FORM\*

(b) (7)(E)



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\*CORRECTIONS FORM\*

(b) (7)(E)



Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## C1-30 FACILITY SAFETY GUIDELINES

### POLICY

It is the policy of the OJS Directorate of Operations to ensure all correction/detention facilities are safe for employees, inmates, and the public.

All Facility SCS's will appoint a qualified Fire and Safety Officer who is responsible for coordinating Fire Safety Inspections to ensure compliance with Fire and Building Codes.

### RULES AND PROCEDURES

#### C1-30-01 AUTOMATIC FIRE ALARM AND SPRINKLER DETECTION SYSTEM

##### A. Fire Safety Inspection

1. The Facility SCS will appoint a qualified Fire and Safety Officer. If no qualified staff is available, the Facility SCS will select a staff member and have that person trained.
2. A qualified fire protection specialist (vendor licensed to test a particular system) shall inspect the facility to test the fire suppression and detection system, equipment and conduct facility training in compliance with 29 CFR 1910.36(d), 1910.37(m), 1910.37(n), 1910.38, and 29 CFR 1960 Subpart D.

##### B. Automatic Fire and Sprinkler Alarm System

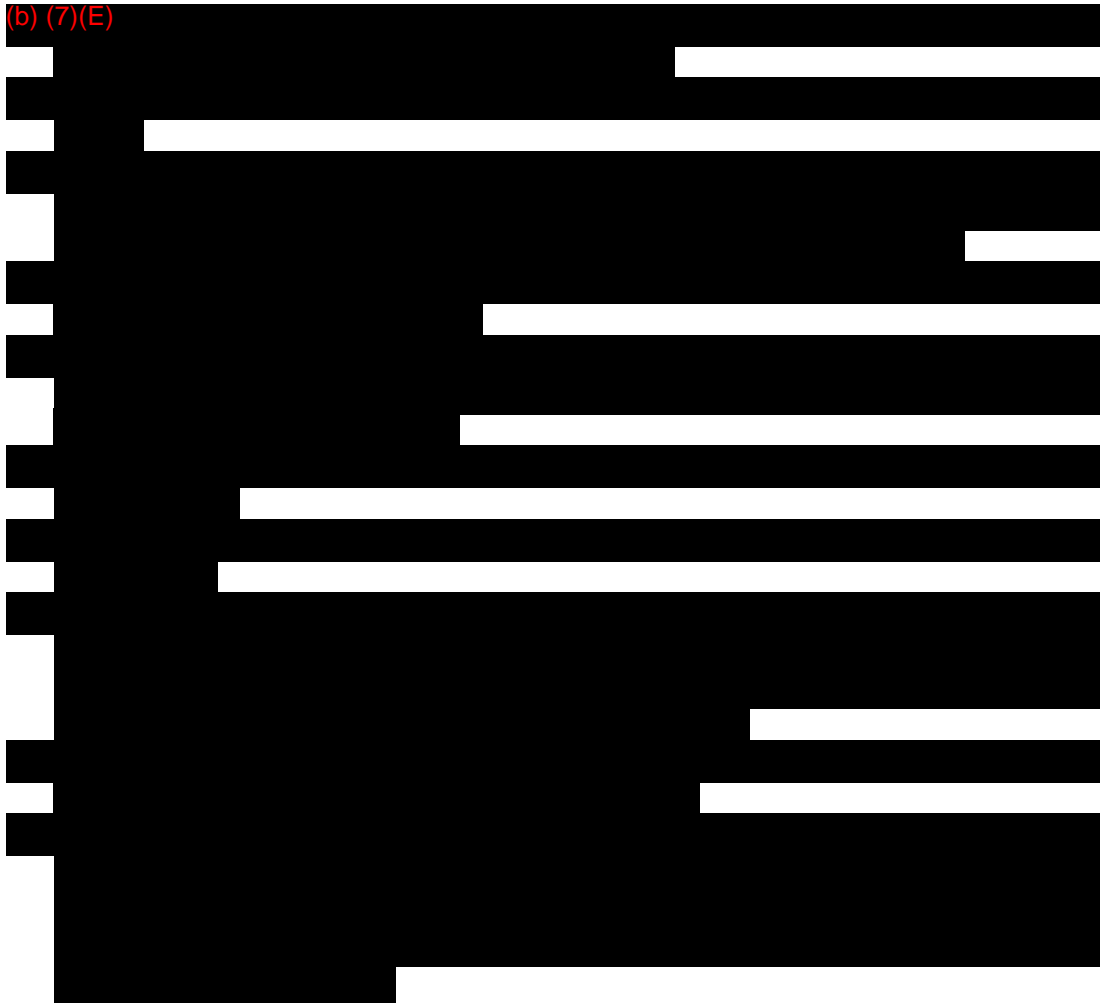
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Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

### C. Re-Set Procedures

(b) (7)(E)



### D. System Testing and Inspection

1. The Fire Safety Officer and the Public Safety Inspector will supervise the bi-annual testing and inspection of the fire sprinkler alarm system as performed by a contract vendor which includes testing the following:
  - a. Fire Alarm pull stations,
  - b. Smoke detectors,
  - c. Heat detectors,
  - d. Fire Department connection,
  - e. Audible and visual signals,
  - f. Automatic operation smoke dampers, and
  - g. Ansul or similar system located in the Food Service Area.
  
2. A certified contract vendor will test smoke detectors per the manufacturer's recommendations and smoke detectors will be cleaned a minimum of once per year.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

3. The vendor will forward copies of the testing and inspection reports to the Fire Safety Officer and the Facility SCS.
4. The Fire Safety Officer will prepare a report of corrective action follow-up for items cited.
5. The Maintenance Staff will supervise the completion of the corrective action needed to remedy the item cited in the vendor's reports and notify the Fire Safety Officer and the Facility SCS in writing.

#### C1-30-02 WEEKLY FIRE INSPECTIONS

- A. The Fire and Safety Officer will train staff to complete Fire Safety Inspection Reports on a weekly basis.
- B. The trained staff will complete a Fire Safety Inspection Report each week, which includes a review of the fire safety equipment and fire prevention practices within their area.
- C. The trained staff will forward a copy of the Fire Safety Inspection Report to the Fire and Safety Officer who will maintain it in his/her files.
- D. If discrepancies are noted, the trained staff and Fire and Safety Officer will meet to decide on a course of action and implementation of that course of action.
- E. If deficiencies are significant, the Fire and Safety Officer will inspect the problem within 24 hours and initiate corrective action.
- F. The Fire and Safety Officer will document all corrective action and provide this information to the Facility SCS.

#### C1-30-03 MONTHLY FIRE INSPECTION

- A. Monthly, the Fire and Safety Officer will complete a Fire Safety Inspection Report, which includes a review of the established fire safety systems and fire prevention practices.
- B. The Fire and Safety Officer will provide copies of the Fire Safety Inspection Report to the Facility SCS.
- C. The Fire and Safety Officer will note deficiencies, initiate corrective action and follow-up, and file the Fire Safety Inspection Report.
- D. The Fire and Safety Officer will provide the Fire Safety Inspection Report and statements of corrective action taken to the Facility SCS.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

### C1-30-04 ANNUAL FIRE INSPECTIONS

- A. The Facility SCS will contact the OFMC Area Safety Officer and schedule an annual fire and safety inspection.
- B. With the Facility SCS, Fire and Safety Officer(s), and Maintenance Mechanic, the FMCC Area Safety Officer will perform an annual fire and safety inspection of all areas to document compliance with all applicable federal, fire, and safety codes.
- C. The FMCC Area Safety Officer will complete a BIA Inspection Report, documenting any areas requiring corrective action, forward a copy of the report to the Facility SCS, District SCS, and Chief of Corrections, and request they take necessary actions.
- D. The Facility SCS, District SCS, and Chief of Corrections will review the report.
- E. When corrective action is required, the Chief of Corrections will approve the corrective action on the report and request that the Facility SCS take action.
- F. If necessary, the Facility SCS will initiate a Work Order and forward it to the Maintenance Staff for action. The Facility SCS may direct the On Duty Supervisor to make changes not involving actual repairs or altering of the physical plant. The Facility SCS will advise the Chief of Corrections through the chain of command when all corrective actions have been taken.

### C1-30-05 CODE COMPLIANCE

- A. The detention facility will comply with all building, fire safety, and life safety codes to maintain a safe facility.
- B. Certificate of Inspections, Compliance with Building Codes, Fire Safety Codes, and Life Safety Codes will be handled as follows:
  - 1. The Facility SCS will maintain a file of certificates and inspections regarding compliance with building, fire safety, and life safety codes.
  - 2. The Fire and Safety Officer will contact the Regional Safety Officer every year to have the facility inspected.

#### C. Exceptions and Equivalencies

The Bureau of Indian Affairs Office of Safety and Risk Management and Facilities Management Construction Center may grant variances, exceptions or equivalencies in the event that they are not inconsistent with security requirement and do not pose a serious life safety threat to occupants.



Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

#### D. Major Repairs, Replacements and Renovations

1. The BIA Facility Management will obtain a building permit for future construction at the facility.
2. The Facility SCS will contact the BIA Office of Facility Management and Construction (OFMC) to set up and conduct inspections when repairs, replacements or renovations affect the building, fire safety, and/or life safety codes.

#### E. Interior Finishing Materials

The BIA Facilities Management Construction Center will affirm that the interior finishing material in the inmate living areas, exit areas, and places of assembly comply with the fire safety code and are security grade where appropriate and will limit the use of wood or other combustible materials.

#### F. Automatic Fire Sprinkler Alarm Detection System Compliance

The detention facility will comply with all regulations related to the fire and smoke detection and sprinkler system.

### C1-30-06 ENVIRONMENTAL CONDITIONS

#### A. Heating and Cooling

Temperatures shall be appropriate to the summer and winter comfort zones.

#### B. Temperature Control

1. The Facility SCS will review the standards to determine a temperature setting for each season.
2. The Facility SCS will direct Maintenance to set the thermostats to the desired temperature setting or to call the appropriate Automated Control Systems Vendor.
3. If a staff member desires a temperature change, he/she will notify the On Duty Supervisor. The temperature will not be changed for the benefit of one staff member unless temperatures are out of variance within an isolated area.
4. The On Duty Supervisor will notify the Maintenance Mechanic by completing a Work Order.
5. The Maintenance Mechanic will check the HVAC controls on his computer to determine current temperature settings. If there are further questions, staff will document temperature readings by using a thermometer in the area of concern.
6. If the temperature is not correct, the Maintenance Mechanic will reset the thermostat.

#### C. Lighting

Detention staff turn night lights on and off in conjunction with lockdown.

#### D. Noise Level

The Facility SCS will monitor noise levels during his/her monthly inspections and initiate corrective action when necessary.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## C1-32      RECEIVING AND DOCUMENTING DELIVERIES

### POLICY

Detention facilities will maintain facility security and properly receive items while expediting the receiving, accounting for, and storage of purchased goods.

### RULES AND PROCEDURES

#### C1-32-01 ADMINISTRATIVE DELIVERIES

Upon approval by the authorized official, the law enforcement assistant (LEA) will order administrative supplies and instruct the supply company to deliver the supplies to the designated receiving area.

1. After placing the order, the law enforcement assistant will place the original Requisition in the Requisition file.
2. Upon arrival at the receiving area, the delivery person will notify the LEA of his arrival and the contents of the delivery.
3. If supplies are such that a loading dock is necessary, the delivery person will be directed to the designated receiving area to unload supplies.
4. For all other supplies, the delivery person will bring the supplies to an appropriate room adjacent to the Public Lobby.
5. The LEA will obtain the Requisition and accept delivery of the order, checking it against the Bill of Lading and the Requisition. Boxes will be inspected for damage.
6. If the order is not correct or there is damage, the LEA will inform the delivery person of the error, note the discrepancy on the Bill of Lading, and sign and date the Bill of Lading.
7. If the order appears correct according to the Bill of Lading, the LEA will note on the Bill of Lading that boxes were received and sign the Bill of Lading.
8. Before the end of the shift, the authorized receiving agent will open the boxes and inventory the delivery against the Packing Slip and Requisition.
9. The authorized receiving agent will complete the Receiving Report that the delivery was received, when it was received, and who received it.
10. The authorized receiving agent will forward the Bill of Lading, Packing Slip and Receiving Report with the Requisition and Requisition Order Request to the Facility SCS.
11. The Facility SCS will review all of the information and either accept or decline receipt of order. If accepted, the requisition will be forwarded to the LEA for payment.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

12. Upon completion of the order and payment, the LEA will file the Bill of Lading, Packing Slip, Receiving Report, and Requisition Order Request.
13. If the order was not accurate, the Facility SCS will contact the LEA who prepared the requisition.
14. The LEA will contact the vendor to rectify any discrepancies.
15. Upon acceptance by the approving official, the authorized receiving agent will contact the appropriate staff to notify him/her of the delivery.
16. The person receiving the order will place the items or have the items placed in the appropriate storage area.

### C1-32-02 LOADING DOCK DELIVERIES

When the LEA orders bulk supplies, he/she will inform the supply or equipment company of the hours during which the detention facility receives deliveries, instruct them to bring the delivery to the appropriate Sallyport, and to activate the intercom at the Sallyport to obtain assistance.

1. The LEA will notify the Control/Dispatch Officer of pending deliveries.
2. Upon arrival at the designated Sallyport, the delivery person will contact the Control/Dispatch Officer.
3. The Control/Dispatch Officer will visually verify the delivery person's identity.
4. If the Control/Dispatch Officer doubts the legitimacy of the delivery person, he/she will notify the On Duty Supervisor who will proceed to the Sallyport and verify the identity of the delivery person.
5. The On Duty Supervisor will instruct the delivery person to present photo identification at the window.
6. Once the delivery person's identity has been verified, the Control/Dispatch Officer will notify the LEA that the delivery has arrived.
7. The Control/Dispatch Officer will log the delivery in the Post Log recording the time of delivery.
8. Communicating with the Control/Dispatch Officer via radio and/or intercom, staff will allow delivery of the order by permitting the delivery person to place the delivery into the Sallyport.
9. Staff will review the order, checking the delivery against the Bill of Lading.
10. If the order does not accurately reflect the number of boxes on the Bill of Lading or there is damage, staff will inform the delivery person of the error, note the discrepancy or damage on the Bill of Lading, note that boxes were delivered but were not opened and inventoried for content and condition, and sign and date the Bill of Lading. The LEA will be advised.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

11. If the order appears correct according to the Bill of Lading, staff will note on the Bill of Lading that boxes were delivered but were not opened and inventoried for content and condition and sign the Bill of Lading. The LEA will be advised and the Property Management Specialist will be notified, depending on the type of property.
12. The delivery person will exit the facility through the Sallyport outer door and a staff member will secure the doors, notifying the Control/Dispatch Officer that he/she has done so.
13. The Control/Dispatch Officer will document the delivery person's departure in the Post Log.
14. Before the end of the shift, the authorized receiving agent will follow the steps outlined in the previous subsection C1-32-01 numbers 9 through 16.



Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010

BIA ADF-1A-02(M); 1A-03(M); 1A-04; 1A-05(M); 1C-07(M); 1C-08;

## C1-33 FACILITY MAINTENANCE

### POLICY

The Office of Justice Services is committed to establishing and maintaining detention facilities that are safe and free of hazards for the safety and well being of facility staff, inmates, and the public. The Directorate of Operations recognizes its responsibility for ensuring that each detention facility is maintained year around.

### RULES AND PROCEDURES

#### C1-33-01 SOURCES OF POWER

All sources of power will be identified and monitored as necessary. When a facility utilizes propane or fuel oil as a source of power, refueling will be scheduled to ensure no lapse of power. Special attention will be made during winter and potential inclement weather conditions. Fuel levels will be maintained at a 50% or higher level and will be monitored in a written log on a weekly basis.

#### C1-33-02 EMERGENCY LIGHTING TESTING

- A. Detention facility emergency lighting systems will be tested on a weekly basis to ensure that the facility continues to maintain an operational status during a power outage for the safety and security of staff, visitors, inmates, and the community.
- B. Weekly, the Maintenance Mechanic will test the emergency lighting as part of C1-33-03 EMERGENCY POWER GENERATORS.

#### C1-33-03 EMERGENCY POWER GENERATORS

##### A. Emergency Equipment

1. The facility shall have the equipment necessary to maintain essential lights, power, ventilation, power-operated doors or locks and communication in an emergency.
2. At full capacity, the generator will produce emergency power as long as the unit is running. If running full time, the generator should be shut down and maintenance performed once each eight hours.
3. The emergency generator should have a System Annunciator display panel in Control/Dispatch. This panel notifies Control/Dispatch via audible tone and illuminated trouble light in the event of certain malfunctions.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010

BIA ADF-1A-02(M); 1A-03(M); 1A-04; 1A-05(M); 1C-07(M); 1C-08;

## B. Emergency Power Generator Testing, Inspection and Bi-Annual Maintenance

1. In compliance with 29 CFR 1910.38, emergency power generators shall be inspected weekly by the Maintenance Mechanic and tested under load at intervals of not more than thirty days.
2. The Maintenance Mechanic will test the emergency power generator quarterly, under a full building load, or simulated power outage, for a period of thirty minutes.
3. Once the quarterly tests are complete, the Maintenance Mechanic will refuel the generator if fuel gauge indicates lower than 3/4 tank.
4. When a test problem occurs the Maintenance Mechanic will identify the problem, contact the appropriate service representative, schedule, and supervise the corrective action to repair the problem and re-test the generator.
5. The Maintenance Mechanic will complete the Generator Checklist, keep the original, and send one copy to the Facility SCS.
6. The Maintenance Mechanic will contact a vendor, schedule and supervise the bi-annual maintenance inspection of the power generator and supervise any corrective action to repair deficiencies.

## C. Extended Use

1. In the event of extended operation and as needed, the Maintenance Mechanic will coordinate the refueling of the generator by an independent contractor.
2. The Maintenance Mechanic will notify the Control/Dispatch Officer of the contractor's arrival and obtain the necessary keys.
3. The Maintenance Mechanic will shut down the generator prior to refueling.
4. The Maintenance Mechanic will stay at the emergency generator until the refueling is completed and then lock the panels and the area.
5. The Maintenance Mechanic will notify the Control/Dispatch Officer via intercom that the fueling is complete.
6. The Maintenance Mechanic will return the key(s) to Control/Dispatch.

## D. Generator Failure

1. If the emergency generator fails, the On Duty Supervisor or Maintenance Mechanic will initiate repairs.
2. The Vendor who services the generator is (list here with phone number).  
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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010

BIA ADF-1A-02(M); 1A-03(M); 1A-04; 1A-05(M); 1C-07(M); 1C-08;

## C1-33-04 FLAMMABLE, TOXIC, AND CAUSTIC MATERIALS

- A. Flammable, toxic, and caustic substances are stored outside the secure area in an approved storage unit, are not accessible to inmates, and are controlled and used only for their intended purpose and under the supervision of qualified staff without endangering the safety and security of the facility, staff, inmates, and citizens.
- B. Inmates will not be trained in the use of or be allowed to use any toxic, flammable, or caustic items.
- C. Use and Control of Toxic, Flammable and Caustic Items
  - 1. Detention staff will receive training in precautions for use, storage, and safety of flammable, toxic, and caustic materials.
  - 2. Staff will only dispense cleaning chemicals into appropriately labeled containers.
  - 3. Staff will not check out cleaning chemicals to inmates.
  - 4. Staff will use the least amount of the material necessary.
  - 5. Staff will see that the use of the hazardous substances conforms with all precautions outlined in the Material Safety Data Sheets by knowing the content of the Material Safety Data Sheets before using the hazardous substance.
  - 6. Staff will maintain any unused substances in their original containers.
  - 7. Staff will immediately report any spills or hazardous reactions to the On Duty Supervisor via the most direct means.
  - 8. The On Duty Supervisor will obtain the Material Safety Data Sheet of the hazardous substance involved and follow the steps outlined for proper clean up or decontamination.
  - 9. The On Duty Supervisor, upon deciding that the hazardous substance spill requires evacuation of the affected area, will direct staff to immediately begin evacuation procedures.
  - 10. The On Duty Supervisor will complete an Incident Report.
- D. Inventory Control
  - 1. The On Duty Supervisor will verbally notify staff when the cleaning chemical dispenser needs refilling.
  - 2. The Facility staff will inventory hazardous substances and will notify the Facility SCS of ordering needs.
- E. Labeling Properties
  - 1. The Facility Fire and Safety Officer will see that manufacturer's labels are kept intact and legible on all containers so contents can readily and easily be identified.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010

BIA ADF-1A-02(M); 1A-03(M); 1A-04; 1A-05(M); 1C-07(M); 1C-08;

2. When improper labeling is discovered on a container, staff will remove and place the container away from use by other staff in a well-ventilated, inaccessible location to be disposed of.
3. The discovering staff member will verbally inform the On Duty Supervisor of the situation.
4. The dayshift On Duty Supervisor will advise the Maintenance Mechanic of the need to dispose of an unknown chemical by completing a Work Order.

## C1-33-05 HOUSKEEPING

### A. Housekeeping Plan

1. The Maintenance Manager will develop a Housekeeping Plan that includes:
  - a. that all facility floors be kept clean, dry, and free of hazardous substances,
  - b. that facility floors are stripped, waxed buffed and finished as needed.,
  - c. that all items used for collecting food remnants are clean,
  - d. that all doors are cleaned,
  - e. that areas needing dusting are dusted,
  - f. that metal doorknobs, push bars, handrails, and kick plates are polished,
  - g. that drinking fountains are clean and free of debris,
  - h. that windows are clean,
  - i. that facility blinds are clean,
  - j. that all light fixtures, moldings, and ventilation outlets are clean and free of debris,
  - k. that all light bulbs, including emergency lights are replaced when needed,
  - l. that facility wastebaskets are emptied and trash is placed in designated disposal areas,
  - m. that bathroom stall partitions, doors, window frames, and sills are kept clean, and
  - n. that all bathroom fixtures and furniture is cleaned with disinfectant cleaner.
2. The Maintenance Manager will submit the Housekeeping Plan to the Facility SCS for approval.
3. The Facility SCS will review the Housekeeping Plan and provide feedback.
4. The Maintenance Manager will make any necessary changes to the Housekeeping Plan and resubmit the Housekeeping Plan to the Facility SCS, if needed.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010

BIA ADF-1A-02(M); 1A-03(M); 1A-04; 1A-05(M); 1C-07(M); 1C-08;

5. The Facility SCS will approve the Housekeeping Plan.
6. The Maintenance Manager will implement the Housekeeping Plan.

#### B. Custodial Services

1. The Shift Supervisor and/or Maintenance Manager will provide the Custodial staff with any needed equipment or supplies except chemicals.
2. The Shift Supervisor and/or Maintenance Manager will provide supervision of the Custodial staff.
3. Annually, the Bureau Agency will assess the Custodial staff's quality of work.
4. The Maintenance Manager will make adjustments to the Custodial staff's work as needed consistent with BIA funding.

#### C. Cleaning Supplies and Paper Products

1. Every midnight shift, the Shift Supervisor will inventory cleaning supplies, paper products, and personal hygiene items for each Janitor Closet and Storage room and identify overall facility supplies needed.
2. The Shift Supervisor will obtain supplies needed in the Janitor Closets from Storage and stock these rooms.
3. The Shift Supervisor will complete the Requisition Order Request and submit it to the LEA.
4. The LEA will verify that the form has been filled out completely and, if necessary, return it to the Shift Supervisor to complete.
5. The LEA will forward the Requisition Order Request to the Facility SCS for approval once it has been completed.
6. The Facility SCS will review and approve the Requisition Order Request.
7. The Facility SCS will make a copy of the Requisition Order Request, forward the original to LEA, and file the copy.
8. The LEA will order supplies as needed.
9. The Shift Supervisor will receive and store cleaning supplies.
10. The Shift Supervisor will restock the individual Janitor Closets.

#### D. Cleaning - Housing Unit

1. The Corrections Officer (CO) will supervise inmates cleaning of the Housing Unit/Dorm which includes:
  - a. Male Housing (Dayroom, Cells, Showers, Stairs, Mezzanine)
  - b. Female Housing (Dayroom, Cells, Showers, Stairs, Mezzanine)
  - c. Special Management (Dayroom, Cells, Showers, Stairs, Mezzanine)
  - d. Community Based - Male (Dayroom, Dorm, Locker Room, Shower)
  - e. Community Based - Female (Dayroom, Dorm, Locker Room, Shower)

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010

BIA ADF-1A-02(M); 1A-03(M); 1A-04; 1A-05(M); 1C-07(M); 1C-08;

2. The midnight shift, day shift, and evening shift detention officers will share the supervision of the cleaning and will clean the Officer Workstations.

#### E. Cleaning - Common Areas

1. The Work Program Coordinator will supervise inmate workers as they clean common areas which include:
  - a. Corridors,
  - b. Multipurpose rooms,
  - c. Break Rooms,
  - d. Programs spaces,
  - e. Health Services Area,
  - f. Restrooms,
  - g. Recreation areas,
  - h. Storage spaces,
  - i. Visiting rooms,
  - j. Booking area.
2. The Control Officer will clean the Control Ctr. and the Control Restroom.
3. The Custodial staff will clean the remaining common areas.

#### F. Housekeeping Inspection - Housing Unit/Dorm

1. Daily, the day and evening shift detention officers will conduct a housekeeping inspection of the housing unit or dorm using the forms for Inspection - Common Areas, Inspection - Housing Unit, or Inspection - Housing Dorm.
2. The Corrections Officer (CO) will inform the inmates of any areas not passing inspection and instruct them to re-clean the areas.
3. The CO will file a copy of the Inspection - Common Areas, Inspection - Housing Unit, or Inspection - Housing Dorm in the housekeeping file at the Staff Workstation.
4. The CO will forward the original Inspection - Common Areas, Inspection - Housing Unit, or Inspection - Housing Dorm to the Shift Supervisor for filing in the Shift Supervisor's office.
5. The Shift Supervisor will review the Inspection - Common Areas or Inspection - Housing Unit and take corrective action as needed or file the forms if no corrective action is needed.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010

BIA ADF-1A-02(M); 1A-03(M); 1A-04; 1A-05(M); 1C-07(M); 1C-08;

### G. Housekeeping Inspection - Common Areas

1. Daily, the midnight Shift Supervisor will conduct a housekeeping inspection of the common areas using the Inspection - Common Areas.
2. The Shift Supervisor will forward the Inspection - Common Areas to the Facility SCS.
3. The Facility SCS will address the person responsible for the cleanliness of the areas not passing inspection.
4. The Facility SCS will review the subsequent Inspection - Common Areas to see that the problem has been corrected.

### C1-33-06 PEST CONTROL (THIS IS THE RESPONSIBILITY OF FACILITIES MGMT.)

#### Vermin and Pest Control

1. The Facility SCS will maintain routine contact with Facilities Management to ensure a Treatment Plan is followed and vermin and pest infestations are controlled as soon as possible.
2. When an Exterminator is scheduled, the Control/Dispatch Officer will ensure that the exterminator is escorted in and out by correctional staff.

### C1-33-07 PREVENTIVE MAINTENANCE

#### A. Preventive Maintenance

1. The Facility SCS or designee shall develop a written plan for preventive maintenance of the facility. The Facility SCS shall review the plan annually and update it as needed. If tribally operated, the plan shall be supported by a Memorandum of Agreement between the Tribe and the Agency.
2. Preventive maintenance will be entered into FMIS. Should maintenance issues not get addressed, the Facility SCS will advise the District SCS of the circumstances and the District SCS will contact the Agency Superintendent.

#### B. Documenting Preventative Maintenance Requirements

1. Upon delivery of equipment to the Detention Facility, the Maintenance Mechanic will determine preventative maintenance requirements for the equipment.
2. The Maintenance Mechanic will complete the appropriate part of a Preventative Maintenance Schedule for the equipment including the date the equipment is due for service, and including tests and inspections of that equipment.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010

BIA ADF-1A-02(M); 1A-03(M); 1A-04; 1A-05(M); 1C-07(M); 1C-08;

3. The Maintenance Mechanic will forward a copy to the Facility SCS and place the original in a file designated for that equipment in the Maintenance Office.

#### C. Performing Preventative Maintenance

1. Weekly, the Maintenance Mechanic will check the Preventative Maintenance Schedule to see if a piece of equipment needs preventative maintenance, testing, or inspection.
2. The Maintenance Mechanic will complete the necessary preventative maintenance and document this on the Preventative Maintenance Schedule.
3. The Maintenance Mechanic will add the next date the equipment is due for service, test, or inspection to the Preventative Maintenance Schedule.

#### D. Repairs Requiring an Outside Service Provider

1. If a piece of equipment requires servicing from an outside service provider, the Maintenance Mechanic will contact the appropriate outside service provider and make arrangements for the preventative maintenance.
2. If the Maintenance is to occur within the space occupied by inmates, the Maintenance Mechanic will coordinate with the On Duty Supervisor.
3. The Maintenance Mechanic will meet with the outside service provider, complete a tool inventory, escort him to the area where the maintenance is needed, and remain with him until the maintenance is completed.
4. The Maintenance Mechanic will document the maintenance on the Preventative Maintenance Schedule.

### C1-33-08 ROUTINE AND EMERGENCY REPAIRS

#### A. Routine Repairs

1. The Maintenance Mechanic becomes aware of repairs which need to be made on physical plant equipment through their routine maintenance activities and through receipt of Work Orders.
2. The Maintenance Mechanic will review the situation and determine if the work is covered under warranty. If the work is warranty work, the Maintenance Mechanic will notify the appropriate company providing warranty service and describe the situation and schedule a time for the repair.
3. The Maintenance Mechanic will coordinate the purchase of necessary parts, equipment, and/or services for the repair of routine maintenance items through Facilities Management.
4. The Maintenance Mechanic will proceed to the facility and make the necessary repairs, while being escorted by staff.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010

BIA ADF-1A-02(M); 1A-03(M); 1A-04; 1A-05(M); 1C-07(M); 1C-08;

5. When repairs on routine maintenance requests are completed, the Maintenance Mechanic will complete the Work Order.

#### B. Emergency Repairs

1. When a staff member discovers a situation which requires emergency repair to the facility or equipment, he/she will immediately contact the On Duty Supervisor and explain the situation.
2. The staff member will initiate a Work Order.
3. The On Duty Supervisor will respond to the area and evaluate the situation and determine the classification (i.e., Emergency Maintenance, Urgent Maintenance, Important Maintenance, General Maintenance, etc.) of the Work Order.
4. If necessary, the On Duty Supervisor will instruct additional staff to respond and direct them to evacuate, secure, or isolate the area.
5. If the Maintenance Mechanic is in the facility, the On Duty Supervisor will request that the Maintenance Mechanic respond to the area of the situation.
6. If the Maintenance Mechanic is not in the facility, the On Duty Supervisor will contact (via telephone and/or pager) the Maintenance Mechanic and inform him of the situation.
7. The On Duty Supervisor will complete the Work Order, attach the Incident Report, and place both in the Maintenance Department box.
8. When the Maintenance Mechanic responds, the On Duty Supervisor will explain the situation to him and request that the Maintenance Mechanic respond to the facility.
9. The Maintenance Mechanic will decide if he or another member of Maintenance should respond to the facility, or both.
10. If another Maintenance Agency should respond, the Maintenance Mechanic who was contacted will call the appropriate Maintenance Agency.
11. When the Maintenance Mechanics arrive at the facility, they will inform the On Duty Supervisor of their purpose and sign in.
12. The On Duty Supervisor will escort Maintenance Mechanic to area and direct him to not leave any tools or excess supplies in the facility.
13. The On Duty Supervisor will move inmates away from work area and keep them out of the area.
14. When the Maintenance Mechanic arrives at the area, he will determine whether or not he can accomplish the necessary repair and will make the repair if he is able to.
15. If necessary, the Maintenance Mechanic will contact an outside contractor and request that he respond to the facility.
16. The Maintenance Mechanic will record the action/follow-up on the Work Order, give a copy to the On Duty Supervisor, and schedule a follow-up inspection with the On Duty Supervisor.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010

BIA ADF-1A-02(M); 1A-03(M); 1A-04; 1A-05(M); 1C-07(M); 1C-08;

17. When the repair has been made and the situation restored to normal, the On Duty Supervisor will complete an Incident Report describing the incident, the level of completed repair and the follow-up inspection schedule.

### C. Repairs Requiring an Outside Contractor

1. When the Maintenance Mechanic becomes aware of the need for private sector assistance to accomplish a repair, he will identify if a service contract exists or if services need to be purchased.
2. If an emergency repair requiring private sector assistance is made which the responsible Maintenance Mechanic was unable to arrange for in advance, the Maintenance Mechanic will contact the appropriate persons as soon as possible after the repair is made and inform them of the repair.
3. The Maintenance Mechanic will notify the On Duty Supervisor by telephone that an outside contractor will be coming into the facility to make repairs and the anticipated day and time of arrival.
4. The On Duty Supervisor will note the repair date and time on the calendar.
5. When making arrangements for non-emergency repairs, the person making the arrangements will instruct the outside contractor to proceed to the appropriate Sallyport and to request access and escort into the facility.
6. The Maintenance Mechanic or the On Duty Supervisor will have the outside contractor sign in on the Visitor Log - Professional and obtain a photocopy of the outside contractor's photo identification.
7. The Maintenance Mechanic or On Duty Supervisor will explain to the outside contractor the importance of keeping an inventory and control of his tools and observes the type of tools being carried.
8. The On Duty Supervisor will inquire about what risks there are associated with the repair and prepare accordingly.
9. The Maintenance Mechanic or On Duty Supervisor will escort the outside contractor to the area, remove all inmates from the area, and secure the outside contractor in the area, while staff remains with them.
10. The outside contractor will complete his work, clean his area, and remove all debris and tools.
11. The outside contractor will notify the Maintenance Mechanic or On Duty Supervisor when he is finished.
12. The On Duty Supervisor will inspect the area.
13. The Maintenance Mechanic or On Duty Supervisor will escort the outside contractor to the appropriate Sallyport where the outside contractor will sign out on the Visitor Log - Professional.
14. The Maintenance Mechanic or On Duty Supervisor will return the photo identification and request via intercom that the Control/Dispatch Officer allow the outside contractor to depart.



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010

BIA ADF-1A-02(M); 1A-03(M); 1A-04; 1A-05(M); 1C-07(M); 1C-08;

15. The outside contractor will then leave the facility.
16. The Maintenance Mechanic or On Duty Supervisor will return the Visitor Log - Professional to Control/Dispatch.
17. The Control/Dispatch Officer will record the time out, what occurred, where the repair occurred and the status in the Post Log.

#### C1-33-09 TRASH DISPOSAL

A. When custodial workers are used, they will be supervised by a CO at all times and will not be used at night.

#### B. Trash Removal – Facility

1. The Housing Officer will assign inmates workers to trash collection detail.
2. The Housing Officer will supervise the inmate workers in collecting trash from all Housing Unit trash cans.
3. The inmate workers will place collected trash into a covered trash can in the Dayroom, except for any items too large for the trash can which will be placed next to the trash can.
4. The Housing Officer will collect trash bags from the Dayrooms, place them in the Sallyport, and verbally contact the On Duty Supervisor to have the trash collected and taken to the dumpster.

#### C. Common Area

At designated times, a CO will collect all trash from the common areas and dispose of it in the dumpster.

#### D. Admissions

Daily, the midnight shift On Duty Supervisor will empty trash in Admissions.

#### E. Waste Disposal from Site

The BIA contracts for regular trash removal.

#### F. Trash Containers

Once a month or as needed, the midnight shift On Duty Supervisor will supervise the cleaning of trash containers. All trash containers in the facility will be collected and taken to the designated cleaning area and cleaned appropriately.

#### G. Containers for Combustibles

Staff will dispose of combustible materials and bio-hazards consistent with local BIA practices.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010

BIA ADF-1A-02(M); 1A-03(M); 1A-04; 1A-05(M); 1C-07(M); 1C-08;

## C1-33-10 WATER SUPPLY

### A. Water Supply

The Facility SCS shall maintain documentation that the entity which provides the facility's water source, supply, storage, and distribution system meets the requirements of 42 U.S.C. 300 g-6 (the Safe Drinking Water Act). The Facility SCS will work with the Agency Facilities Manager to ensure that all necessary certificates are completed and on file.

### B. Water Supply Certification

1. Annually, the Public Works Department will issue certification to the Facility SCS as to the community's water quality.
2. The Facility SCS will maintain the certification.

### C. Alternative Water Supply

1. The Facility SCS will notify the staff if there is a problem with the water.
2. The staff will notify the inmates not to drink the water.
3. The Facility SCS will arrange for bottled water to be brought into the facility.
4. After the water problem is resolved, the Facility SCS will notify the staff that the water is safe for drinking.
5. Staff will notify the inmates that they may resume drinking facility water.
6. The Facility SCS will arrange to have the bottled water service cancelled and dispose of the remaining bottled water appropriately.

### D. Sewage Water System

1. Any staff member discovering a sewage problem will verbally notify the On Duty Supervisor.
2. The On Duty Supervisor will verbally notify the Maintenance Mechanic.
3. The Maintenance Mechanic will respond and clear the blockage and/or evaluate the situation and determine the proper course of action.
4. If the problem is in an inmate's room, the Housing Officer will move the inmate to another room or to a room in the Admission area.
5. If the problem affects the entire Housing Unit, the Admissions restrooms will be made available to inmates and they may move either escorted or unescorted per their classification to the restroom.
6. When the problem is fixed, the temporary restroom that was used will be searched by Housing Staff and cleaned.

BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

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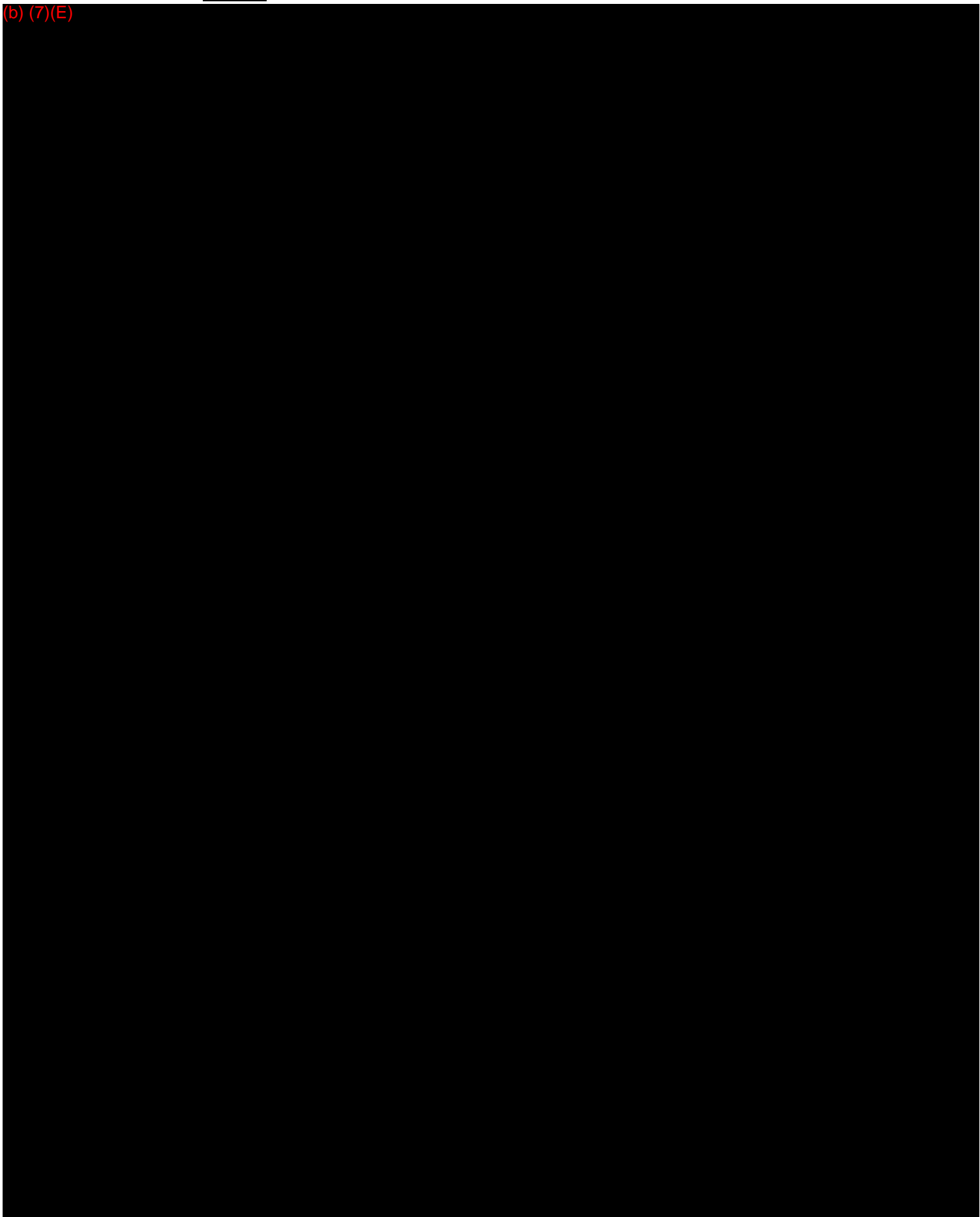
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Effective: 01/01/2012 Revised:  
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## C1-34 FOOD AND MEAL SERVICES

### POLICY

The Office of Justice Services Directorate of Operations is committed to providing nutritional and healthy foods at OJS detention facilities that meet or exceed Tribal and nationally recognized standards in a safe and sanitary environment.

### RULES AND PROCEDURES

#### C1-34-01 DIETARY ALLOWANCE

- A. The facility shall document that a registered dietician reviews dietary allowances at least annually to ensure compliance with nationally recommended food allowances. A diet manual, approved by a registered dietician, shall guide dietary allowances, including special diets.
- B. Quarterly Meal Evaluation
  1. The Food Service Supervisor will review the Master Menu, Special Diet Menu, and the Meal Content and Quality forms each quarter to verify the Detention Facility is providing meals within established standards.
  2. The Food Service Supervisor will make revisions as necessary, making sure that changes remain within budget and replacements meet approved dietary standards presented by the Dietician.
  3. The Food Service Supervisor will implement summer and winter menus as instructed by the Dietician.
  4. During the annual review by a Registered Dietician, the Dietician will list replacement foods for menu items, making sure that the replacements maintain the caloric, fat, and nutritional values identified by the Dietician.
  5. The Food Service Supervisor will document the quarterly review in a memo to the Facility SCS.
  6. The Facility SCS will file the memo in his file for quarterly meal evaluation and keep it for a period of three years.
- C. Annual Meal Evaluation
  1. The Food Service Supervisor will notify the Facility SCS of the need to acquire the services of a Registered Dietician to conduct an on-site visit of the Food Service operations on an annual basis.
  2. The Facility SCS will conduct a market analysis to determine registered dieticians who are willing to perform the needed service and the fee charged for conducting the review of menus, food handling practices, and consultation with Food Service.
  3. Based upon the bid, the Facility SCS will initiate a Requisition to have the service performed.

Effective: 01/01/2012 Revised:  
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4. The Registered Dietician will review the Master Menu, Special Diet Menu, Meal Content and Quality, and recipes specific for inmate diets. The Dietician will consider traditional Native American foods prepared and served by Food Service while calculating daily nutritional requirements.
5. The Registered Dietician will formulate Special Diet Menus for, at minimum, the following: Diabetic, Renal, Sodium Restricted, and Low Fat Diets.

#### C1-34-02 FOOD POISONING-NATURAL FOOD BORNE PATHOGENS

- A. The Detention Facility will provide health protection for all inmates and staff in the facility and inmates and other persons working in food service, including the following:
  - B. Food Poisoning Investigation
    1. If an inmate complains of pains that might be associated with food poisoning, the inmate should verbally inform staff that he/she is requesting medical attention.
    2. Staff will verbally contact the On Duty Supervisor who will ensure that EMS is contacted immediately for immediate response to the facility.
    3. If multiple inmates indicate similar symptoms, staff will complete an Incident Report and verbally contact the On Duty Supervisor.
    4. The On Duty Supervisor will verbally contact the Facility SCS and Food Service Director.
    5. When EMS arrives at the facility, they will triage and treat the inmate(s). This may include calling a doctor or transporting ill inmates to the hospital.
    6. Medical staff will give verbal or written notice to the On Duty Supervisor if food poisoning is suspected.
    7. If food poisoning is suspected or confirmed by medical personnel, facility staff and food service staff will inspect food ingredients, preparation areas, and serving utensils/trays in an attempt to determine the source of contamination.
    8. If it is suspected or determined that the food poisoning incident was caused intentionally, an investigation will be initiated by the on-duty supervisor.
    9. The On Duty Supervisor will immediately notify the Food Service Supervisor of the possibility of food poisoning.
    10. The Food Service Supervisor will investigate the possible cause of the food poisoning.
    11. The Food Service Supervisor will take whatever corrective action is necessary to prevent any further food poisoning.
    12. The On Duty Supervisor will complete an Incident Report and record the incident in the Shift Report.



Effective: 01/01/2012 Revised:  
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13. The On Duty Supervisor will forward a copy of the Incident Report to the Facility SCS and the Food Service Supervisor.
14. The Food Service Supervisor will complete a Supplemental SIR Incident Report, detailing the cause of the food poisoning and corrective action taken, and then forward the report to the Facility SCS.
15. The Facility SCS will review the reports, inspect the Kitchen to see that corrections have been made, and determine if any further follow-up is needed.

#### C1-34-03 FOOD PURCHASE AND ACCOUNTING

- A. At a minimum, the facility shall maintain records of the number of meals served to the inmate population, the expenditures for food supplies and menus (planned and as served).
- B. Food Purchase and Accounting
  1. At least once a week, the Food Service Supervisor will prudently order food and ingredients based upon compliance with the master menu and the number of individuals to be served.
  2. The Food Service Supervisor will have a food stocking plan available for implementation when an emergency potential exists, such as adverse weather conditions. This Plan should address the need for additional supplies based on the time frame of the emergency.
  3. The Food Service Supervisor will follow procurement regulations of the Bureau of Indian Affairs. The Food Service Supervisor will purchase only the specified food items listed on the approved Purchase Order Contract.
  4. The Food Service Supervisor will maintain precise accounting of Food Service Supplies received and expended.

#### C1-34-04 FOOD SERVICE STAFF HEALTH AND SAFETY STANDARDS

- A. Food service facilities and equipment shall meet health and safety standards. Food service personnel and inmates assisting in the food service area shall comply with applicable health regulations. The administrator or designee shall document compliance with health and safety regulations, including but not limited to, a pre-assignment medical examination.
- B. Pre-Assignment Medical Examination
  1. The Facility SCS will see that all staff and inmate workers in the food service area are examined by qualified health service providers and properly cleared, prior to working in the food service area.
  2. Upon completion of the examination, the health care provider will complete the Certificate of Medical Examination - Standard Form 78 identifying the health status of the employee.

Effective: 01/01/2012 Revised:  
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3. For Inmate Food Service Workers, the health care provider will provide written documentation to the Facility SCS identifying the health status of the inmate.
4. If the health care provider determines that the employee or Inmate Food Service Worker is not free from diarrhea, skin infections, or other illnesses transmissible by food, documentation will be forwarded to the Facility SCS.
5. The Facility SCS will not allow the employee or inmate to work in the food service area.
6. Indian Health Services, Environmental Health Officer will issue a Food Handler's Training Card to the employee upon successful completion of annual training.
7. The employee will forward a copy of the Food Handler's Training Card to the Facility SCS who will provide a copy to the Food Service Supervisor.
8. The Food Service Supervisor will post the Food Handlers Training Card in the Food Service Office.
9. The Facility SCS will maintain a copy of the Certificate of Medical Examination - Standard Form 78 and the Food Handler's Training Card in a file for each Food Service Staff or Inmate Food Service Worker.

C. Periodic Medical Examination and Compliance by Contract Food Services

1. The Facility SCS will ensure that all Food Service Staff and Inmate Food Service Workers complete periodic medical examinations as required by local regulations governing restaurant and food service employees in the community.
2. Any time an illness transmissible by food is discovered, the Facility SCS will confer with Health Services Staff to determine if the individual should be suspended from work in the Food Service area.
3. In the event the individual is an employee, the Facility SCS will ensure that the employee receives a diagnosis and prognosis for the condition from Health Services to determine a course of action that safeguards the food service operation.
4. Based on the medical reports and prognosis, the employee may be returned to work, re-assigned, or separated from service.
5. If a contract provider is involved in food preparation, the provider will provide documentation of health appraisal and Food Handler's Certification for return to work to the Facility SCS for his/her records.

D. Food Service Staff/Inmate worker Illness.

1. Food Service Staff members are responsible for reporting any illness or disease contracted to their supervisor immediately.
2. Whenever a Food Service Staff member contracts an illness transmissible by food, the Facility SCS will immediately suspend that staff member's duties in Food Service and confer with Health Services Staff to determine the diagnosis and prognosis for the individual.

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3. If the prognosis indicates a permanent illness that jeopardizes the safety of Food Service Operations, the Facility SCS will work with HR Labor Relations in removing the employee from Food Service Operations.
4. The Facility SCS may recommend termination for Food Service Staff who refuse to complete any required examinations.
5. The Facility SCS will see that the individual's file contains written documentation regarding the suspension or termination from the Food Service area.

#### E. Daily Personal Hygiene Requirements

1. Prior to starting work each day, the Food Service Staff will examine each Inmate Food Service Worker to ensure cleanliness and appropriate attire for work in the Food Service area.
2. All staff and inmate food service workers will wash their hands and arms with soap and water at the beginning of their shift, after each use of the toilet facilities, and as needed thereafter.
3. All Food Service Workers will maintain appropriate hygiene and attire while in the Food Service Area.
4. All Inmate Food Service Workers will shower before reporting to their assignments.
5. All Food Service Staff and Inmate Food Service Workers will ensure that their hair is clean and if it is longer than shoulder length, will tie it back. Mustaches and beards will be clean and trimmed.
6. All Food Service Staff and Inmate Food Service Workers will wear disposable caps or hairnets.
7. All Food Service Staff and Inmate Food Service Workers will wear disposable gloves when handling food.
8. All Food Service Staff and Inmate Food Service Workers will see that they have clean and neatly trimmed fingernails.

#### C1-34-05 FOOD STORAGE

- A. A weekly inspection of all food service areas, including dining and food preparation areas and equipment; sanitary, temperature-controlled storage facilities for all foods; and daily checks of refrigerator and water temperatures will be conducted by administrative, medical, or dietary personnel.

Effective: 01/01/2012 Revised:  
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B. Stored shelf goods will be maintained at 45 degrees to 70 degrees Fahrenheit, refrigerated foods as 35 degrees to 40 degrees Fahrenheit, and frozen foods at 0 degrees Fahrenheit or below, unless Federal or Tribal health codes specify otherwise.

C. Temperature Control

1. The Food Service Staff will store all food items in appropriate, sanitary, and temperature controlled storage areas to protect against spoilage.
2. The Food Service Staff will ensure that:
  - a. Dry goods are stored in the Dry Storage at room temperature, not to exceed 70 degrees Fahrenheit.
  - b. Highly perishable foods such as meats, fish, produce and dairy produce and dairy products are kept in refrigeration at a consistent temperature of 35 to 40 degrees Fahrenheit.
  - c. Frozen foods are kept in the freezer at a constant temperature of 0 degrees Fahrenheit or below.
3. The Food Service Staff will check the refrigerator/freezer temperature daily using food service thermometers and record temperatures on the Temperature Log.

D. Food Storage - Dry

The Food Service Staff will date and store food in the Dry Storage.

1. The Food Service Staff will place new food items in the back of the storage area and rotate older items to the front.
2. The Food Service Staff will store food in approved, covered containers on shelves that are at least 6 inches off of the floor.
3. The Food Service Staff will store food in a manner which prevents food from exposure to dust, vermin, pests, overhead leakage, excessive heat, and any other possible sources of contamination.
4. The Food Service Staff will inspect the storage areas to see that they are clean and will correct any deficiencies.
5. The Food Service Staff will document the inspection on the Sanitation and Temperature Log.

Effective: 01/01/2012 Revised:  
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### E. Food Storage - Refrigerated

1. The Food Service Staff will store all food and food products, prepared in bulk, in the freezer or refrigerator in either its original, sealed container or in approved, seamless, covered containers clearly marked with its contents and date stored.
2. The Food Service Staff will place new food items in the back of the freezer or refrigerated storage area and rotate older items to the front.
3. The Food Service Staff will store all leftover food items requiring refrigeration in the refrigerator or freezer immediately after meal service is completed.
4. The Food Service staff will store refrigerated foods in a manner that prevents contamination of food stored on lower shelves. Food Service Staff will store eggs and meats on the lowest shelf.

### C1-34-06 FOOD UTENSIL CONTROL AND USE

- A. The Food Service Staff will control and monitor the use of kitchen utensils to ensure the accountability and secure use of these utensils.
- B. The administrator shall govern the control, issuance, use, and storage of keys, tools, and culinary and medical equipment.
- C. Knife and Kitchen Utensil Inventory and Log
  1. The Food Service Supervisor will inventory and control the food utensils used in the Food Service area.
  2. Food Service Staff will secure Class "A" tools/utensils in a locked Sharps container.

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Effective: 01/01/2012 Revised:  
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#### C1-34-08 MEAL COSTS

- A. Identifying meal costs is essential to ensure proper funding for overall program functions.
- B. The Food Service Supervisor will maintain a record of the number of meals served using the Meal Order Sheets, the expense for supplies and menus, and will submit a Meal Cost Analysis to the Facility SCS on a monthly basis.
- C. The Food Service Supervisor, in conjunction with the Food Distributor, will fill out the Meal Cost Analysis.
- D. After forwarding the Meal Cost Analysis to the Facility SCS, the Food Service Supervisor will file the meal cost analysis for that month.

#### C1-34-09 MEAL DELIVERY SERVICE

- A. Food Preparation/Delivery
  - 1. The Food Service Staff will supervise the Inmate Food Service Workers who prepare and load the correct number of food trays, utensils, and cups onto the meal carts.
  - 2. The Food Service Staff will mark special dietary meals by affixing a label containing the inmate's name, type of special diet and Housing Unit location to the tray.
  - 3. The Food Service Staff will meet the Housing Officers at the Housing Unit door and the Food Service Staff will leave the food cart in the corridor near the Housing Unit door.
  - 4. The Housing Officer will count the meals verifying with the number requested written in the Post Log.
  - 5. If a meal cart is short of meals, the Housing Officer will verbally notify a Food Service Staff member and advise him/her how many meals he/she is short.

Effective: 01/01/2012 Revised:  
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6. The Housing Officer will instruct the Food Service Staff to return to Food Service to obtain the additional meals needed and deliver the meals to the Housing Officer.
7. When all trays have been delivered, the Food Service Staff will return to Food Service.

#### B. Meal Delivery At Housing Units

1. Ten minutes prior to the scheduled meal time, the Housing Officer will announce to the inmates to put away any items that are out, return to their room to wash their hands, and wait to be called to the serving area by the Housing Officer.
2. Prior to delivering regular meals, the Housing Officer will look at the Unit Roster, stand in the Housing Unit doorway and call each inmate by name receiving a special diet meal to the delivery area and serve the special diet meal.
3. The Housing Officer will call each inmate receiving a regular meal by name, to the delivery area.
4. The Housing Officer will verify the inmate and make a check by the inmate's name on the Unit Roster as they receive their meal.
5. The Housing Officer will inspect the tray ensuring no food items or utensils are missing and hand each inmate a meal.
6. The inmate will receive his/her meal and walk to the eating area in the Housing Unit.
7. If an inmate refuses his/her meal, the Housing Officer will log the inmate's name, location and the reason for refusal on the Post Log and the Inmate Log and, if necessary, implement the policy on Hunger Strikes.
8. If an inmate refuses two or more meals within a twenty-four hour period, the Housing Officer will complete an Incident Report and forward it to the On Duty Supervisor prior to the end of his/her shift.
9. After all trays have been served, the Housing Officer will bring the cart to the other Housing Unit door and verbally notify the Housing Officer that the food cart is at the door.

#### C. Meal Delivery to Rooms

1. The Housing Officer will bring the food tray to the room, unlock and open the pass through, hand the tray and beverage to the inmate and close the pass through.
2. After the meal, the Housing Officer will proceed to the room, unlock and open the pass through and retrieve the inmate's tray.
3. The Housing Officer will verify that a tray, cup, and utensils have been returned. If any items are missing, the Housing Officer will request that the inmate return the missing item.

Effective: 01/01/2012 Revised:  
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4. If the inmate refuses to return the item, the Housing Officer will contact the On Duty Supervisor via the most direct means possible and inform him of the situation.
5. The On Duty Supervisor will implement a course of action to retrieve the missing items.
6. If items were not returned, the Housing Officer will implement disciplinary procedures.
7. The Housing Officer will check the inmate's name off on the Unit Roster.
8. The Housing Officer will return the tray on the delivery cart.

#### D. Admission Food Delivery

1. To the degree possible hand foods, i.e. sandwiches will be served in admissions due to the increased risk of self-harm; utensils should not be given to inmates in admissions. Also minimize the use of plastic covering and hard cups/glasses.
2. Fifteen minutes prior to mealtime, the On Duty Supervisor will contact the Food Service Staff, and advise them to report to Admissions.
3. If any inmate is intoxicated, the Admissions Officer will notify the Food Service Staff to keep the meals for the intoxicated inmate in the chill box until the inmate is sober enough to eat.
4. The Admissions Officer will note in the Post Log the meals ordered for intoxicated inmates.
5. The Food Service Staff will prepare the number of bagged meals ordered for Admissions and load them onto a meal cart.
6. The Food Service Staff receives the meal cart for Admissions and meets the On Duty Supervisor in Admission.
7. The Admissions Officer will count the bagged meals on the meal cart, verifying the amount written on the Post Log, and if the cart contains the number of meals ordered.
8. When a cart is short of bagged meals, the Admissions Officer will notify a Food Service Staff and advise how many meals he/she is short.
9. The Admissions Officer will instruct the Food Service Staff to return to Food Service to obtain the additional meals needed and deliver them to the Admissions Officer.
10. When the correct number of bagged meals is received, the Admissions Officer will instruct the Food Service Staff to return to Food Service.
11. The Admissions Officer will distribute bagged meals, ensuring each inmate receives a meal and then return the meal cart to Food Service.
12. When new intakes arrive during meal service, the Admissions Officer will verbally contact the Food Service Staff to request additional meals. A substitute meal can be supplied, e.g. a peanut butter sandwich.
13. The Food Service Staff will deliver any additional bagged meals ordered, return to Admissions, and distribute the meals to the Admissions Officer.
14. When the inmates in Admissions finish eating, the Admissions Officer will instruct them to deposit their refuse in the provided trash receptacle.



Effective: 01/01/2012 Revised:  
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15. When intoxicated inmates are sober enough to eat, the Admissions Officer will contact the Food Service Staff and advise them to bring the bagged meals that were stored in the chill box to Admissions.
16. If this is after the Food Service Staff depart, the Admissions Officers will retrieve the bagged meal from the chill box. At no time will an inmate exceed fourteen hours between meals.

#### E. Non-Meal Time Meal Distribution

1. When an inmate misses mealtime due to court, medical appointment, etc., the On Duty Supervisor will call Food Service Staff, via intercom, and order a bagged meal.
2. A Detention Officer will proceed to Food Service to pick up the bagged meal and initial the Meal Order Sheet listing the number of add-on meals needed and the reason they are needed.
3. The Detention Officer will deliver the meal to the inmate who missed mealtime.
4. When the inmate finishes eating, the Detention Officer will instruct him to deposit his refuse in the provided trash receptacle.

#### F. Food Clean-up/Cart Return

1. When the inmate is finished with his meal, he will remain seated and wait to return his tray and utensils until the Housing Officer the Housing Officer calls him up.
2. The Housing Officer will call each inmate listed on the Unit Roster by name to the pick-up area.
3. The Housing Officer will verify the inmate's name and make a checkmark by the inmate's name on the Unit Roster as he receives a tray, cup and utensils from the inmate.
4. When an inmate refuses to return all issued utensils or all utensils and trays cannot be located, the Housing Officer will contact the On Duty Supervisor via the most direct means.
5. The On Duty Supervisor, if necessary, will authorize a shakedown of the Housing Unit or other actions, as needed, to recover the missing utensils.
6. All involved staff will complete an Incident Report.
7. For inmates in rooms, the Housing Officer will collect trays following steps 4 - 10 of procedure C.
8. When the pick-up detail is complete, the Housing Officers will call for a Food Service Staff to return for the meal carts.
9. The Food Service Staff will proceed to the appropriate location, obtain the cart and return them to Food Service.

### C1-34-10 MEAL PREPARATION

#### A. Meal Counts

1. Two hours prior to meal time, the On Duty Supervisor will call each Housing Unit, the Housing Officer will give the meal count and any new special diets for their Housing Unit, and the On Duty Supervisor will relay this information to Food Service Staff.
2. Food Service Staff will record this information on the Meal Order Sheet.

Effective: 01/01/2012 Revised:  
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3. The Housing Officer will note the number of meals ordered on the Post Log.
4. The Food Service Staff will determine the type and number of special meals needed and who needs them by checking the memo indicating who receives special diets and the type of special diet.

#### B. Food Preparation

1. Prior to beginning food preparation, Food Service Staff will thoroughly wash their hands and under their fingernails.
2. Anyone entering food service will wear a hair net or cap while in the food service area.
3. Food Service Staff will wash and sanitize food preparation surfaces before food preparation begins and immediately after each use.
4. Food Service Staff will thoroughly wash all raw fruits and vegetables in clear, cold water before serving or cooking.
5. Food Service staff will thaw frozen food:
  - a. In refrigerated units at temperature not to exceed 40 degrees Fahrenheit; or
  - b. Under potable running water at a temperature of 70 degrees Fahrenheit or below; or
  - c. In a microwave only when the food will be immediately transferred to conventional cooking facilities as part of a continuous cooking process or when the entire, uninterrupted cooking process takes place in the microwave oven; or
  - d. As part of the conventional cooking process.

#### C. Meal Preparation

1. Food Service Staff will prepare food meeting established dietary standards.
2. Food Service Staff will prepare three meals per day, considering food flavor, texture, temperature, appearance, and palatability.
3. Food Service Staff will prepare special diets as approved by the appropriate health or dietary authority.
4. Food Service Staff will prepare food for special events when requested to do so by the Facility SCS.
5. The Facility SCS will advise Food Service Staff at least seven days prior to a special event.

#### D. Meal Serving Requirements

1. Inmates shall not go over 14 hours without a meal.
2. Two meals daily will be served hot.
3. Juveniles will be provided with two high calcium snacks daily, in addition to meals.

Effective: 01/01/2012 Revised:  
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## C1-34-11 MENU PLANNING

### A. Menu Planning

1. The Food Service Supervisor will plan menus at least two weeks in advance, using the rotating master menu prepared in consultation with a registered dietician, taking into consideration food flavor, texture, temperature, appearance and palatability, along with incorporating the principles expressed in the United States Department of Agriculture/Department of Health and Human Services (USDA/DHHS) Food Guide Pyramid meeting the current Recommended Dietary Allowances for appropriate age groups, and consider local traditional Native American foods for the inmate population.
2. Security considerations will be factored into food preparation and issue. Meat containing bones will not be served. Caution is to be used in issuing items containing capsicum (Which could be stored and used against others) Foods which require cutting prior to consumption must be cut in food service no cutlery will be provided. It is recommended that a spork be the only utensil issued and that the spork be reusable, dishwasher safe and break resistant.
3. The Food Service Supervisor will prepare special diet meals in accordance with documented physician's instructions or Special Diet menus supplied by the registered dietician.
4. One week in advance, the Food Service Supervisor will forward the menu for the following week to the Food Service Staff and to each Housing Unit for posting.
5. The Food Service Supervisor will have regular and special diets evaluated for nutritional adequacy by a registered or licensed dietitian at least annually and whenever a substantial change in the menu is made.

### B. Recipe File

1. The Food Service Supervisor will maintain recipe files in the Food Service Office and make the files available for review at any time.
2. The Food Service Supervisor and Dietician will review the recipe file annually to verify that the recipes yield an amount of food appropriate to the size of the inmate population.
3. The Food Service Supervisor and Dietician will modify, add, or delete recipes based on the review.
4. The Dietician will forward his report to the Facility SCS after reviewing the recipe files annually to verify compliance with the standards.

### C. Menu Usage

The Food Service Staff will utilize the menu and recipes in preparing meals.

Effective: 01/01/2012 Revised:  
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## C1-34-12 SANITATION AND CLEANLINESS INSPECTIONS

### A. Daily Inspections

1. The Food Service Supervisor will inspect his/her Food Service area for sanitation and cleanliness each day he/she is on duty.
2. The Food Service staff will inspect the Food Service area throughout the day and take corrective action as needed. A designated staff member will check and record water temperatures daily.

### B. Weekly Inspections

1. The Facility SCS and Maintenance Mechanic, during their weekly housekeeping inspection, will walk through the Food Service area and inspect for sanitation and cleanliness.
2. The Facility SCS will notify the Food Service Supervisor in writing if additional cleaning is needed and the Food Service Supervisor will take corrective action if inspection recommendations are not fully addressed.

### C. Monthly Inspections

1. The Facility SCS and Maintenance Mechanic, during their monthly housekeeping inspection, will walk through the Food Service area and inspect for sanitation and cleanliness.
2. The Facility SCS will notify the Food Service Supervisor in writing if additional cleaning is needed and the Food Service Supervisor will take corrective action.

### D. External Inspections

1. The Facility SCS and Food Service Supervisor will accompany the Federal or Tribal agency to assist with the inspections.
2. The Facility SCS and Food Service Supervisor will conduct an exit interview with the Federal or Tribal Official to determine their input of the Detention Facility status.
3. Any reports generated through this inspection from the External Agency will be sent to the Food Service Supervisor and the Facility SCS.
4. The Food Service Supervisor will address any concerns and take corrective measures.
5. Within one week the Food Service Supervisor will send a copy of the corrective measures taken to the Facility SCS.

Effective: 01/01/2012 Revised:  
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## C1-34-13 SPECIAL DIETS

### A. Medical

1. As appropriate, the Health Care Provider will inform the Facility SCS of any inmate medical special diet needs found during appointments, etc.
2. Any inmate needing a special health diet will notify the Admission Officer during admissions or after being housed by completing an Inmate Request Form addressed to the Facility SCS.
3. If the Facility SCS is not working (i.e. evening or weekends), the On Duty Supervisor will handle the request with the Health Care Provider and verbally notify Food Service Staff.
4. In the event of a delay in verifying an inmate's request for a special medical diet, the Food Service Supervisor will fulfill the inmate's reasonable request consistent with past practices, dietary requirements, and budget constraints.
5. The Facility SCS will consult with the Health Care Provider to determine the adequate dietary requirement for that inmate.
6. The Health Care Provider will provide documentation of the dietary requirement to the Facility SCS.
7. The Facility SCS will provide the information to Food Service Staff.
8. The Facility SCS will inform the inmate of the approval or denial using the Inmate Request Form.
9. If necessary, the Food Service Supervisor will confer with the inmate and/or the Health Provider to determine specific medical dietary needs.
10. The Food Service Staff will follow the menu developed by the dietician or Health Care Provider.
11. The Food Service Staff will prepare the special diet and will place the meal on a special tray and label the tray with the type of diet it contains and the name of the individual who is to receive the tray.
12. When meals are delivered to the Housing Units, the Housing Officer will deliver the special meal to the proper inmate.
13. If the Health Care Provider determines that the inmate no longer needs the medical special diet, the Health Care Provider will notify the Facility SCS in writing.
14. The Facility SCS will inform Food Service Staff by providing a copy of the Health Care Provider's written documentation.
15. The Facility SCS will verbally inform the On Duty Supervisor of the terminated medical special diet and the On Duty Supervisor will notify the Housing Officer.
16. The Housing Officer will verbally notify the inmate of the terminated special diet and document this in the Inmate Log.
17. Staff observing an inmate abusing his special diet will complete an Incident Report and forward it to the Facility SCS.
18. The Facility SCS will review the Incident Report and consult with the Health Care Provider to determine if any action is required.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010 BIA ADF-1A-01(M); 4A-01(M); 4A-02; 4A-03(M); 4A-04(M); 4A-05(M); 4A-06;

19. If the decision is made to end the special diet, the Health Care Provider will provide written documentation to the Facility SCS.
20. The Facility SCS will provide the written documentation to Food Service Staff.
21. The Facility SCS will verbally inform the On Duty Supervisor of the terminated medical special diet and the On Duty Supervisor will notify the Housing Officer.
22. The Housing Officer will verbally notify the inmate of the terminated special diet and document this in the Inmate Log.

#### B. Religious/Traditional Diet

1. An inmate requesting a special religious/traditional diet will submit an Inmate Request Form to the Facility SCS defining the religion or tradition and outlining the specific dietary need.
2. If necessary, the Facility SCS will request the assistance of a local religious authority to research the particular religious diet requested and to determine its authenticity and special diet needs.
3. The Facility SCS will note if the special diet is approved or denied on the Inmate Request Form and forward the form to the On Duty Supervisor and Food Service Staff.
4. The On Duty Supervisor will make a copy of the Inmate Request Form for the inmate and file the original in the inmate's file.
5. The Facility SCS may instruct the Food Service Staff to develop a menu containing the specific dietary requirements for the special diet.
6. If approved, the Food Service staff will prepare the special diet place the meal on a special diet tray and label the tray with the type of diet it contains and the name of the individual who is to receive the tray.
7. When meals are delivered to the Housing Units, the Housing Officer will deliver the special diet meal to the proper inmate.
8. Staff observing an inmate abusing his special diet will complete an Incident Report and forward it to the Facility SCS.
9. The Facility SCS will review the Incident Report and upon consulting with the religious authority, determine if the special diet should be ended.
10. If the decision is made to end the special diet, the Facility SCS will complete an Incident Report and provide a copy to the inmate, the Housing Officer, and Food Service Staff.
11. The Housing Officer will verbally notify the inmate of the terminated special diet and documents this in the Inmate Log.

#### C. Traditional Ceremonies Requests

1. Inmates requesting traditional ceremonies must submit an Inmate Request. The request must be approved before the ceremony is allowed.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010 BIA ADF-1A-01(M); 4A-01(M); 4A-02; 4A-03(M); 4A-04(M); 4A-05(M); 4A-06;

2. Ceremonial fasting may be permitted, based on the same criteria as established for religious/ceremonial diets. In no case will fasting be allowed when an inmate's health may be jeopardized.

## C1-34-14 STAFF MEAL SERVICE

### A. Staff Meal Preparation

Facility staff may use facility provided appliances for cooling and heating meals brought from home or commercially purchased.

### B. Meal Breaks in Break Room

(b) (7)(E)



### C. Meal Breaks at Posts

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Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## C1-51 CONFIDENTIALITY AND RELEASE OF RECORDS

### POLICY

Detention Facilities will provide information regarding the status of a past or current inmate and its population, in response to the legitimate information needs of authorized agencies, in compliance with the Freedom of Information Act and the Privacy Act. These Acts are not applicable to juvenile records.

### RULES AND PROCEDURES

#### C1-51-01 GENERAL

##### A. Transfer of Records

1. A copy of an updated inmate file for any inmate transferred from one facility to another will be transferred simultaneously or, at the latest, within 72 hours after the inmate is transferred. The copy will contain all pertinent and necessary information regarding the inmate. Pertinent information includes but is not limited to:
  - a. Classification
  - b. Medical
  - c. Risk behavior
  - d. Court orders
2. The administration will use a consent form that complies with applicable federal or state regulations. The inmate will sign a release-of-information consent form prior to the release of information as required by statute or regulation, and a copy of the release form will be maintained in the inmate's file.
3. If an inmate refuses to sign a release of information the court having jurisdiction over that inmate will be contacted. The court may exercise its authority and order release of information.

##### B. Compliance

The facility shall comply with 5 U.S.C. 552 (the Freedom of Information Act), 5 U.S.C. 552(a) (the Privacy Act of 1974), as amended, 43 CFR 2.79(a), or comparable Tribal regulations.

##### C. Release of Information and Consent

Inmates shall sign a Release of Information Consent Form in compliance with 5 U.S.C. 552(a) (the Privacy Act of 1974) as amended prior to the release of privileged information. The facility SCS or designee shall keep a copy of the signed release or court order as cited above in the inmate's file.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

- D. Information may be requested for either investigative purposes, behavioral health reports, medical/psychiatric and/or educational purposes.
- E. The identity of inmates in custody will be protected by the Detention Facility.
- F. Records will be secured, at least in a locked fire rated cabinet, and preferably in a locked fire rated cabinet, which is located in a locked room. Records and filing cabinets will be marked "Confidential". Records security must meet criteria outlined in 16 BIAM.
- G. Confidential information may be subpoenaed.
- H. The Facility SCS will maintain a list of agencies/persons, such as health care professionals, who can access health care records, who may receive confidential information without a subpoena or a signed release of information and the type of information they may access, after establishing a Memorandum of Agreement.
- I. Agencies to which the facility would most commonly provide inmates information to includes but is not limited to:
  - 1. F.B.I. Investigator,
  - 2. B.I.A. Law Enforcement/Investigation Unit,
  - 3. U.S. Attorney's Office,
  - 4. Tribal Courts,
- J. No original documents may be sent or given out. Copies must always be made of any documents being sent and originals must remain at the facility. Generally, only information regarding bond amount and whether inmate is at the facility will be given out.
- K. Requests for records will be in writing on agency letterhead and must be approved by the Facility SCS.
- L. The Freedom of Information Act can be found online at [www.usdoj.gov/04foia/foiastat.htm](http://www.usdoj.gov/04foia/foiastat.htm).
- M. The Privacy Act can be found online at [www.usdoj.gov/foia/privstat.htm](http://www.usdoj.gov/foia/privstat.htm).

#### C1-51-02 TELEPHONE REQUEST FOR INFORMATION

- A. Facility staff receiving a telephone call regarding release of information for an inmate will forward the call to the Facility SCS.
- B. The responding facility official will ask the caller's name and relationship to the inmate or agency he/she belongs to.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

- C. The Facility SCS will verify if the person calling belongs to any Tribal Agency, such as, Tribal Social Services, the Courts, Probation, Law Office, Behavioral Health, etc., before he/she releases any information by doing the following:
  - 1. Ask for a telephone number and compare the number with the phone listing which is routinely updated by the Law Enforcement Assistant.
  - 2. Ask for a telephone number and let the caller know a staff member will return a call to their office for verification purposes.
- D. After verification is completed, the Facility SCS will only provide the inmate's current intake charges, the entry date of the current charges and the housing location of the inmate over the telephone. This procedure is not applicable to juvenile records.
- E. If the requester needs more information, the Facility SCS will inform him/her that he/she needs to complete a Release of Information Form.
- F. The Facility SCS may fax the Release of Information Form or the requestor may come into the facility to complete the Release of Information Form.
- G. Information regarding juveniles will not be released over the telephone. However, If the caller is a parent, legal guardian, or is listed as a primary contact on an Intake Form attempting to find out if his/her relative is in the facility, the Facility SCS will advise the caller if the relative is in the facility, unless restricted by investigation or Court, but only after positively identifying the caller as a parent, legal guardian, or is listed as a primary contact on an Intake Form. Otherwise, the calling party will be advised that information can only be released at a face to face personal contact when proper credentials are provided.

#### C1-51-03 RELEASE OF INFORMATION

- A. Facility staff will adhere to the Freedom of Information Act and Privacy Act.
- B. When an individual requests that the Detention Facility release information or an inmate requests that confidential information about him/her be released, the Facility SCS will instruct the requesting individual to complete a Release of Information Form.
- C. If the inmate refuses to sign the form, the Facility SCS will notify the requesting individual and explain that the information cannot be released at this time without necessary consent.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

- D. The Facility SCS will advise the requestor that he/she may complete a Release of Information form to request the information and that the request is subject to approval and the information will be censored for content and any privileged information will be blacked out. The Facility SCS will provide the form if requested.
- E. If the inmate signs the form, the Facility SCS will make copies of the requested records and place a copy of the Release of Information Form in the file from which the information is released.
- F. The Facility SCS will file the original Release of Information Form in a separate file.
- G. The Facility SCS will forward the copies of the records to the requesting individual.
- H. If the inmate has not signed the Release of Information Form and the agency requesting the information is listed as an agency not requiring a subpoena or Release of Information Form to obtain information, the Law Enforcement Assistant will consult with the Facility SCS to authorize the release of the information.
- I. If the Detention Facility receives a subpoena for information, the Facility SCS will discuss the subpoena with the District SCS and (Area) Solicitor prior to providing a copy of the requested information to the individual. Staff must contact a solicitor prior to addressing a Tribal subpoena when called to testify.
- J. The Facility SCS will ensure that a copy of the subpoena is placed in the record from which the information was taken and that a separate file is maintained for the original subpoena.

#### C1-51-04 WRITTEN REQUESTS FOR RELEASE OF INFORMATION

- A. Individuals must request information in writing on the letterhead of the agency from which the request is originating, or the facilities signed Release of Information Form on an inmate in the facility.
- B. Facility staff will direct all inquiries from members of the public related to release of information, pertaining to inmate records, to the Facility SCS.
- C. If the requester needs more information, the Facility SCS will inform him/her that he/she needs to complete a Release of Information Form.



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Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-7D-04;

## C1-52 INMATE RECORDS

### POLICY

Each OJS Detention Facility will create and maintain an Inmate File for each inmate in order to preserve and utilize information relevant to each incarceration, to assist staff in performing their jobs and to ensure accurate records management.

### RULES AND PROCEDURES

#### C1-52-01 ADULT AND JUVENILE RECORDS

- A. A master record file (refer to 6 Part Folder, page 6) also referred to as a custody record will be maintained for each adult and juvenile inmate. This file will contain all information except medical information regarding the inmate and must include at a minimum, the following:
1. name, age, sex, place of birth, and Tribal affiliation
  2. initial intake/admission information form (PIQ)
  3. authority to accept the inmate (Custody Request Form)
  4. referral source
  5. case history/social history, court-generated background information
  6. If a juvenile, the name, relationship, address, and phone number of parent(s)/guardian(s) and person(s) juvenile resides with at time of admission
  7. driver's license, social security, and Medicaid numbers, when applicable
  8. court and disposition; dates of court appearances
  9. individual plan or program, including work assignments
  10. signed release-of-information forms, when required
  11. progress reports on program involvement
  12. facility rules and disciplinary policy signed by adult/juvenile
  13. grievance and disciplinary record, including incidents or crimes committed while in custody, if applicable
  14. records of program participation, including temporary release programs;
  15. referrals to other agencies
  16. cash and property receipts
  17. classification records
  18. dates and times of temporary releases;
  19. names of visitors and dates of visits;
  20. final discharge or transfer report
- B. Medical information will be contained in a separate folder marked "Confidential Medical Folder". All medical information in the folder will be marked "Confidential" and will include but not be limited to the following:

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-7D-04;

1. Arrestee Medical Clearance Form
2. Inmate Medical Clearance Form
3. Inmate Medication Log
4. Medical Screening Form
5. Medical Consent Form
6. Refusal of Services Form (medical)
7. Suicide Screening Form
8. Other necessary health and suicide screening forms
9. Medical records transferred from another agency.

- C. Inmates will be allowed reasonable access to information in their records. Access is only limited due to safety or security concerns for the inmate, other inmates, or the facility.

#### C1-52-02 COMPLIANCE WITH INFORMATION ACT

The facility shall comply with 5 U.S.C. 552 (the Freedom of Information Act), 5 U.S.C. 552(a) (the Privacy Act of 1974), as amended, 43 CFR 2.79(a), or comparable Tribal regulations.

#### C1-52-03 RECORDS MANAGEMENT

- A. The facility shall have a system for the management, dissemination, retrieval, storage, archiving and (when appropriate) destruction of information and detention records. The system will be consistent with 16 BIAM.
- B. The IMARS computerized records management system will be used where available and when required.

#### C1-52-04 SEPARATION OF RECORD CONTENTS

The Facility SCS shall identify and separate contents of juvenile records according to an established format which, at a minimum, shall separate privileged from public information and juvenile records from those of adult offenders.

#### C1-52-05 ACCESS TO INFORMATION

The facility SCS shall define clearly, personnel who have access to juvenile and adult records.

#### C1-52-06 ESTABLISHMENT OF ADULT/JUVENILE FILE

- A. After a new adult/juvenile has been admitted, the Admissions Officer will confirm that the adult/juvenile has not been in custody before by checking the Master Names List.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-7D-04;

- B. If the adult/juvenile has been in custody before, the Admissions Officer will implement procedure as outlined in C1-52-11.
- C. If the adult/juvenile has not been in custody before, the Admissions Officer will obtain a new six part file folder from Records and write the adult's/juvenile's name (last name, first name middle initial) and the adult's/juvenile's newly assigned file number on the file folder tab.
- D. The Admissions Officer will also initiate an Inmate Confidential Medical Folder which will contain all medical information on the inmate. The inmate's name and file number will be included on the file folder tab.
- E. The Admissions Officer will file all paperwork in the appropriate sections of the file folders with the most recent information on top and complete the table of contents.
- F. The Admissions Officer will file the inmate file and medical file in a locked file cabinet in the Administrative Office in numeric order by inmate file number upon completion of the Admissions process.

#### C1-52-07 MAINTAINING THE ADULT/JUVENILE FILES

- A. As a staff member completes paperwork that is to be filed in the inmate files, he/she will file paperwork in the appropriate section of the inmate file in chronological order with the most recent paperwork on top and add the item to the Inmate File Table of Contents.
- B. If a staff member is unavailable to file the paperwork upon completion, he/she will place the paperwork in the file tray on top of the file cabinet in the Administrative Office.
- C. Prior to going off duty, staff members will file the paperwork in the inmate files and add the item to the Inmate File Table of Contents.
- D. The Facility SCS will routinely check random inmate files to see that paperwork has been filed correctly.

#### C1-52-08 ACCESSING INMATE FILES

- A. When authorized staff needs to access an active or inactive inmate file, he/she will request that the On Duty Supervisor obtain the requested file.
- B. The On Duty Supervisor will obtain the requested file and ask the staff member to complete the Records Check-Out Form maintained in a binder at the inmate file cabinet.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-7D-04;

- C. The staff member will complete the Records Check-Out Form and the On Duty Supervisor will ensure that it is completed properly.
- D. The staff member will return the file by the end of his/her shift by requesting that the On Duty Supervisor re-file the checked out file. The staff member will complete the Records Check-Out Form.
- E. If adult/juvenile information is requested that is privileged for non-law enforcement purposes, staff will have the adult/juvenile sign a Release of Information Form or confirm that the requestor has a signed Release of Information Form.
- F. The staff member releasing the information will file the Release of Information Form in the adult's/juvenile's inmate file.

#### C1-52-09 CLOSING THE ADULT/JUVENILE FILES - AFTER RELEASE

- A. Upon release, the Admissions Officer will close out the adult's/juvenile's inmate files by:
  - 1. adding the paperwork to the inmate file in the appropriate location, including paperwork from the housing notebook,
  - 2. adding any paperwork pertaining to the adult's/juvenile's release to the inmate file in the appropriate location,
  - 3. placing a sheet of colored paper on top of the paperwork in each section, and
  - 4. write the adult's/juvenile's name, Admission number for the stay which they were just released, the admission date and time and the release date and time on each sheet of colored paper. (A colored piece of paper is added even if there was no paperwork for a section).
- B. The Admissions Officer will request that the On Duty Supervisor place the adult's/juvenile's inmate files in Records with the inactive files in numeric order and/or unlock Records so he/she may file it.

#### C1-52-10 ADDING TO THE ADULT/JUVENILE FILE - NEW ADMISSIONS

- A. When an adult/juvenile is admitted that has been in custody before, the Admissions Officer will use the Master Names List to get the adult's/juvenile's file number. New admission information will be added to existing files.
- B. The Admissions Officer will file the Admission paperwork in the inmate files and place the inmate files with the active files in the Administrative Office.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-7D-04;

#### C1-52-11 MODIFYING RECORDS

- A. If a staff member discovers a mistake in an adult/juvenile inmate file, he/she will verbally notify the On Duty Supervisor and explain the mistake and, if known, how it occurred.
- B. The On Duty Supervisor will complete an Incident Report with an explanation for the mistake.
- C. The On Duty Supervisor will file a copy of the Incident Report in the inmate file and forward a copy to the Facility SCS. The mistake will be corrected, if applicable.
- D. Any time a staff member obtains pertinent information regarding an adult/juvenile, he/she will record the information on the appropriate form or memorandum, including the date.

#### C1-52-12 TRANSFERRING RECORDS

- A. When transferring an adult/juvenile to another Jurisdiction, the Releasing Officer will copy information documenting the adult's/juvenile's conduct, unusual circumstances, care instructions, etc. for the receiving jurisdiction.
- B. The Releasing Officer will have the accepting agency sign the Records Release.
- C. The Releasing Officer will sign the Records Release, make a copy for the accepting agency, and file the original in the inmate file.

#### C1-52-13 SEALING / EXPUNGING RECORDS

- A. When the Facility SCS receives notice from the Tribal Court to seal or expunge a record, he/she will gather all of the adult's/juvenile's records.
- B. If needed, the Facility SCS will place all the records into one file folder, noting the files in which the information originated.
- C. The Facility SCS will note whether the file is "sealed" or "expunged" and the date the order was received from the Tribal Court on the outside of the file folder.
- D. The Facility SCS will place the written seal/expungement order inside the file.
- E. The Facility SCS will file the record in his office in a file location specifically for sealed or expunged records.

#### C1-52-14 RECORDS RETENTION

All records will be retained per the federal government Records Management Plan.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-7D-04;

## 6 PART FOLDER CONTENTS

The Inmate File is maintained in a 6 part folder as follows:

**Part 1      Legal and Grievance**

- Grievance Form
- Bond Information
- Court Dates
- Criminal Complaint
- Detainer
- Judgment and Disposition
- Request Forms to Court

**Part 2      Intake, Admission, and Orientation**

- Intake Screening Form
- Custody Request Form
- Record of Inmate
- Personal Information Questionnaire
- Admissions Sheet (including photos and fingerprints)
- Orientation Verification Form
- Parent Orientation Form (for Juveniles)
- Property Form
- Receipt for/Release of Funds or Property

**Part 3      Discipline and Classification**

- Disciplinary Reports
- Incident Reports

**Part 4      Education and Programs**

- Program Completion Certificate
- Program Evaluation

**Part 5      Miscellaneous**

- Inmate Log

**Part 6      Confidential Information (all forms herein to be marked "Confidential")**

- Inmate Request Form (non-Court)

Note: all documents in Part 6 should be marked "Confidential" but in no case will any medical form be included in any part of the 6 Part Folder.



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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2B-05;

## C1-55 SERIOUS INCIDENT REPORTING

### POLICY

It is the policy of BIA OJS to report and document all serious incidents that occur within Detention Operations or to an inmate, both adult and juvenile, legally committed to BIA, PL 93-638 programs, or Indian Country facilities receiving federal funds. This policy establishes a mandatory uniform reporting system and protocol for incidents that are related to the custodial management of inmates in detention operations.

### RULES AND REGULATIONS

#### C1-55-01 GENERAL

- A. This policy applies to all Bureau of Indian Affairs (BIA) Office of Justice Services (OJS) detention facilities, correctional and/or detention facilities contracted under Public Law 93-638, and Indian Country detention facilities receiving federal funds. The policy does not apply to correctional and/or detention programs operated solely under grants or tribal funding.
- B. Serious incidents include, but are not limited to the following:
- |                                   |  |
|-----------------------------------|--|
| 1. aggravated assault,            | 15. Off-duty misconduct that reflects on the organization, |
| 2. attempted suicide,             | 16. Other.   |
| 3. bomb threat,                   | 17. rape,  |
| 4. communicable disease outbreak, | 18. suicide,   |
| 5. disturbance                    | 19. terrorist behavior,                                    |
| 6. escape,                        | 20. Unusual or high profile incident,                      |
| 7. fire,                          | 21. use of force,*   |
| 8. hostage situation,             | 22. vehicle collision,                                     |
| 9. hunger strike,                 | 23. vermin infestation,                                    |
| 10. In-custody death,             | 24. water contamination.                                   |
| 11. jail closure,                 | 25. work slow-down,  |
| 12. mass arrest, overcrowding     |  |
| 13. medical emergency,            |  |
| 14. natural disaster,             |  |

\*Include actual event in title

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## C1-55-02 IMMEDIATE REPORTING REQUIREMENT

When a serious incident (see Appendix C) occurs relative to the custodial management of inmates, both adult and juvenile (regardless of where the incident takes place), the following will occur. For purposes of this policy, BIA detention staff titles are utilized; however, other non-BIA facilities should utilize their locally designated chain of command.

1. The officer in charge will immediately take corrective action to stabilize the situation, initiate emergency medical aid when necessary, and then notify his/her immediate supervisor. The supervisor or the officer will contact the Facility SCS. If the Facility SCS cannot be reached, the supervisor/officer will contact the District SCS. The supervisor/officer providing the telephonic report shall provide all relevant information to ensure a complete description of the incident is provided.
2. The Facility SCS, once notified, shall immediately notify the District SCS.
3. The District SCS will immediately contact, by telephone, the Chief of Corrections if required. If a SIR requires forwarding to the Albuquerque Office, contacts should have also occurred.
4. The Chief of Corrections will ensure that the Deputy Associate Director, Directorate of Operations, is notified, if required. The Chief of Corrections will ensure the Associate Director of the Professional Standards Directorate is notified of all in-custody death incidents.
5. The Deputy Associate Director, Directorate of Operations, will notify and brief the Deputy Bureau Director, BIA OJS, through the chain of command on all pertinent matters surrounding the incident.
6. At any level, if the next responsible party cannot be reached immediately, the next level higher will be contacted. The facility supervisor will ensure that a current chain of command staff roster is available and on file at each facility for the District Office and the Albuquerque Office, with contact numbers, including cell phones.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

### C1-55-03 DOCUMENTATION REQUIREMENT

After notification has been made by the initial reporting officer, the following shall be completed:

1. The staff member at the facility who is initially and immediately involved in observing or responding to an incident shall complete a Serious Incident Report (SIR) (See Appendix A) prior to the end of the shift in which the incident occurred. The Serious Incident Description & Action Table shall be referenced when completing the report (See Appendix C).
2. If more than one staff member is involved in, or witnesses the incident, the supervisor or senior officer available will complete the SIR based on memorandums completed by all staff. All staff involved will complete individual memorandums outlining the incident and the extent of their involvement. All supporting documentation, to include photos, medical reports, outside agency reports, etc., will be submitted as attachments to the SIR prior to the end of the shift. Staff memorandums will be in narrative format and will be a supplement to the SIR.
3. The Facility SCS will review the report to ensure all areas of the report are accurate and complete prior to submission to the district office. The FSCS will complete a SIR Cover Sheet.
4. The SIR will then be electronically mailed in the correct format, if possible, or faxed to the attention of the District SCS responsible for the facility (including facilities contracted under Public Law 93 – 638) by the same or next business day.
5. The District SCS will review the SIR for completeness, accuracy, follow up, and corrective action prior to electronically mailing the SIR to the Chief of Corrections. This will be completed within two business days after the incident is reported. The District SCS shall ensure any modifications made to the report are coordinated with the input of the initial reporting staff member.
6. The Chief of Corrections or designee will review the SIR, and if necessary return it to the District SCS for clarification, more information or modification. The corrected SIR shall be returned the same day if time allows. The Chief of Corrections or designee will be notified by district staff if the SIR cannot be completed in a timely manner.
7. Upon receipt of a complete and accurate SIR, the Chief of Corrections will forward it to the Deputy Associate Director of Operations if required, who will brief the Deputy Bureau Director, BIA OJS through the chain of command. The SIR shall be forwarded to the Deputy Associate Director within 2 business days after the incident occurs. The Chief of Corrections or designee will also ensure a copy of the SIR is forwarded (if required) to the Associate Director, Professional Standards Directorate. However, in all in-custody death cases, the Professional Standards Directorate will be notified.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

8. After notification, the Deputy Bureau Director, BIA OJS will brief the Director, DOI Office of Law Enforcement and Security.
9. A copy of all SIR reports and SIR Logs will be maintained at each location where a SIR is generated or received. These reports and logs will be maintained in accordance with established Records Management procedures.

#### C1-55-04 FOLLOW UP

Upon review of the SIR, the supervisor at each level will do one or more of the following:

1. Initiate a SIR Inmate Statistics Report to include any immediate corrective action resulting from the SIR is addressed at the local facility. The SIR Inmate Statistics Report including the Corrective Action Plan will be forwarded to the District SCS.
  - a. The District SCS will assume the responsibility to ensure that corrective measures are implemented to eliminate or reduce additional occurrences of the same incident at all BIA OJS and PL 93-638 correctional/detention facilities within their district, particularly at the facility where the incident occurred.
  - b. If the incident is the result of a lack of procedural clarification, the Chief of Corrections will ensure policies, procedures, or OJS Special Orders are either drafted or revised to eliminate or reduce additional occurrences of the serious incident. The Chief of Corrections shall ensure these new or modified policies, procedures, or OJS Special Orders are incorporated into the Indian Police Academy training curriculums, if required.
2. When required, the Chief of Corrections will ensure the SIR has been forwarded to the Associate Director, Professional Standards Directorate, for investigation by proper personnel, i.e. Investigations, Inspections, or Internal Affairs. The Associate Director, Professional Standards Directorate may also refer the incident to the Office of the Inspector General.
3. When any identified corrective action has been accomplished, a supplemental report will be completed listing the corrective action taken and when it was taken. This supplemental report will be forwarded through the chain of command and attached to the original SIR.

#### C1-55-05 SIR TRACKING

The tracking of SIR's shall be accomplished in the following manner:

1. All BIA and PL 93-638 correctional/detention facilities, district, and central offices, shall maintain a SIR log (See Appendix D). Each SIR generated or received at the respective location, will be documented on the SIR log. This log will be used for annual reporting as outlined in Section V. All sections of the SIR log will be completed in its entirety.

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BIA-Adult Detention Facility Guidelines December 2010

2. The below numbering system will be utilized, assigned, documented on each SIR, as well as tracked on the SIR Log. The SIR numbers assigned and documented on the report will correspond with the SIR log.
3. SIR numbering: For example, a SIR number for the Ute Mountain Ute Agency would be derived in the following manner: The last digit of the current calendar year 2010, facility ORG CODE-MOL450, followed by the numbering system beginning with 001 for the first documented SIR. For example, SIR number 0KOL400-001 was generated in calendar year 2010 at the Ute Mountain Ute detention facility, and is the first documented incident for 2010.
4. The SIR log shall be maintained from January 1<sup>st</sup> to December 31<sup>st</sup> yearly. The numbering system will start over each calendar year beginning January 1<sup>st</sup>.

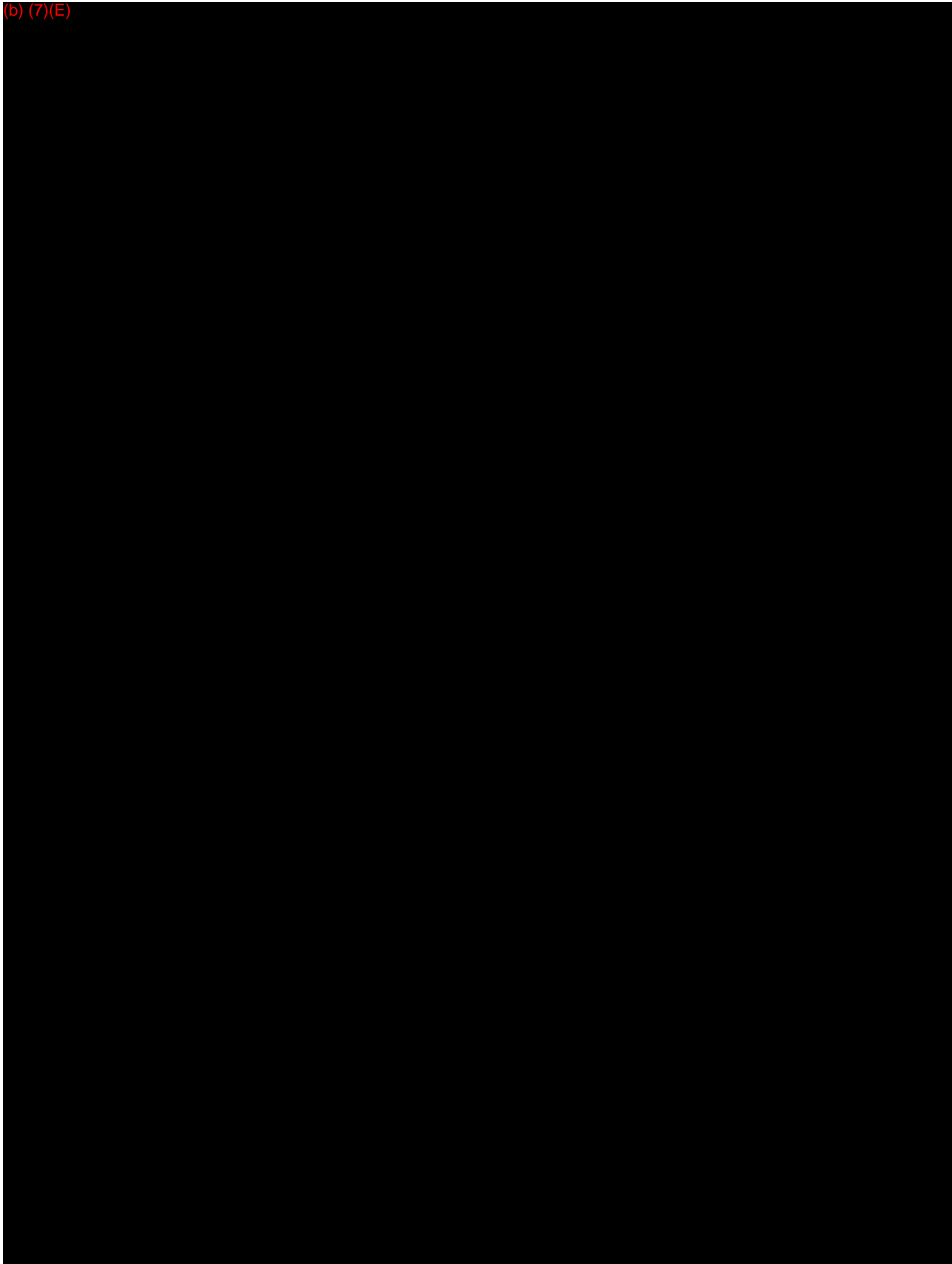
#### C1-55-06 ANNUAL REPORTING REQUIREMENT

The following procedures will be followed for reporting purposes:

1. All BIA-OJS detention facilities and correctional and/or detention facilities contracted under Public Law 93-638 will maintain a Serious Incident Report log which will be forwarded to the respective District SCS on a yearly basis.
2. The District SCS will forward an annual summation of the Serious Incident Reports identified on Appendix E for incidents occurring within their district. This summation will be forwarded to the Chief of Corrections, by January 31<sup>st</sup> of each year.
3. Based on all district summary reports, the Chief of Corrections will prepare a final summary of all serious incidents occurring in BIA and PL 93-638 correctional/detention facilities by February 10<sup>th</sup> each year and forward to the Deputy Associate Director, Directorate of Operations.

#### C1-55-07 APPENDIX INFORMATION

- A. Serious Incident Report Cover Sheet and SIR Form (Appendix A)
- B. Instructions for filling out Serious Incident Report Form (Appendix B)
- C. Description & Action Table (Appendix C)
- D. Serious Incident Report (SIR) Log (Appendix D)
- E. SIR Inmate Statistics Report (Appendix E)
- F. Annual SIR Summary Report (Appendix F)

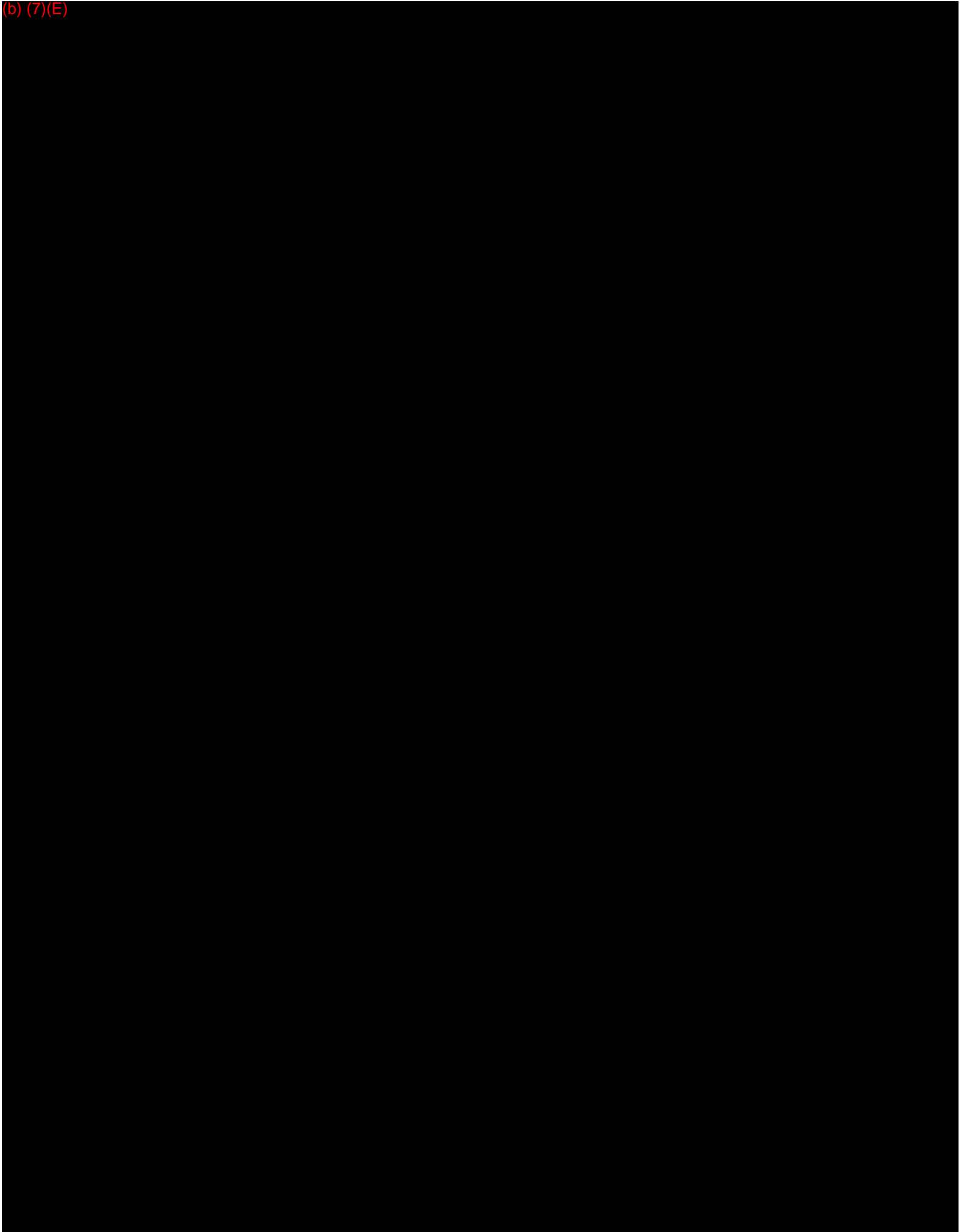




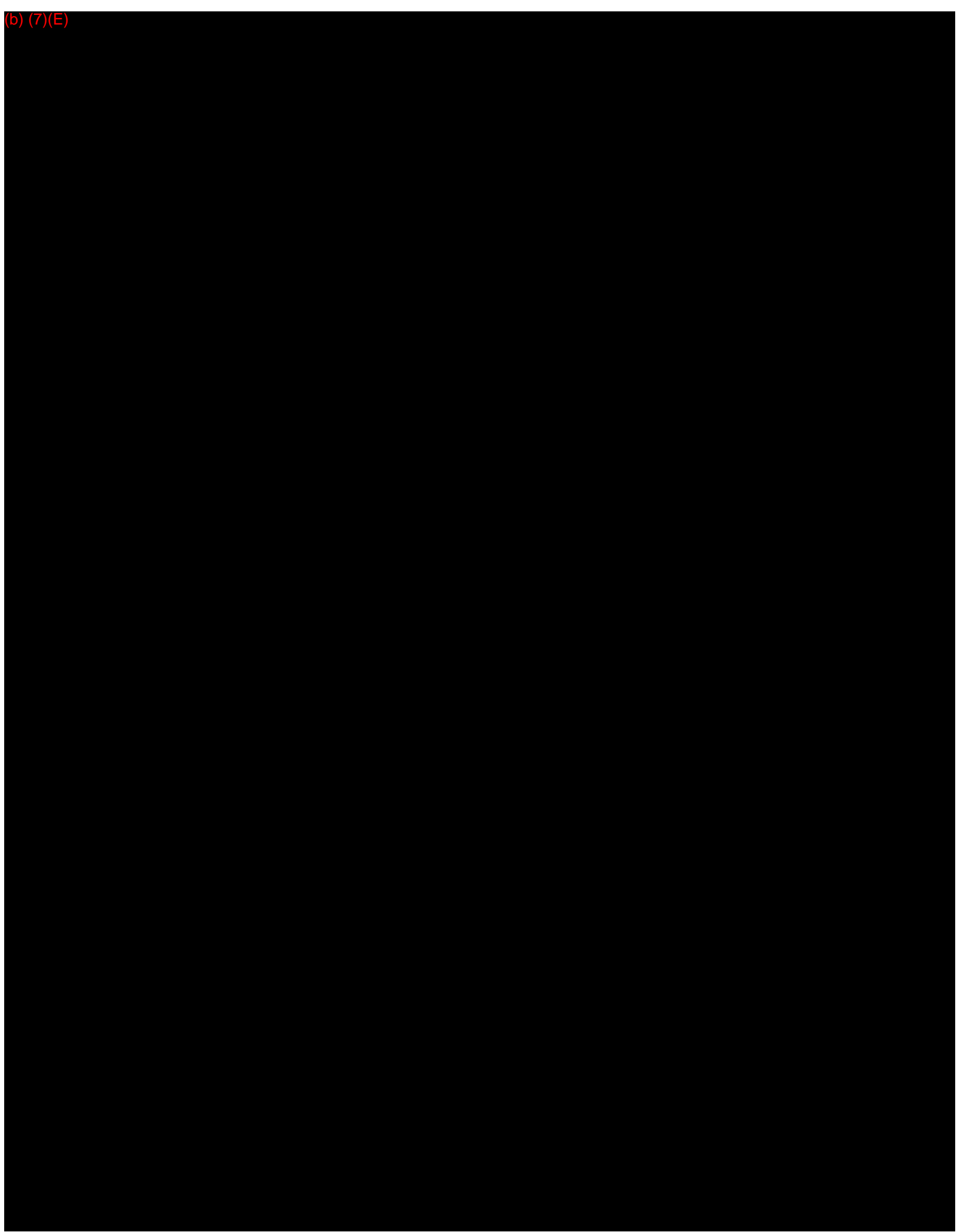


















Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-08; 2A-10;

## C1-56 FACILITY REPORTS

### POLICY

All detention facilities maintain a system of reports that keep management informed of the status of the facility and allows a review of the effectiveness of current practices. Each shift, facility staff initiates and maintains a permanent log and prepares Shift Reports to record routine information, emergency situations, and unusual incidents.

### DEFINITIONS:

Unit Roster - The Unit Roster is a computerized form that shows all the inmates in the facility by unit and bed. This form is used to check for available beds in the Housing Unit(s). It also shows the inmate's current behavior management system level and comments such as medical restrictions, special diets, etc.

### RULES AND PROCEDURES

#### C1-56-01 FACILITY GOALS AND OBJECTIVES

- A. The Facility SCS will formulate and review goals for the facility at least annually and translate them into measurable objectives.
- B. The Facility SCS or designated staff will monitor space requirements, operations, and programs through inspections and reviews. This monitoring will include measuring progress towards achieving previously identified goals and objectives at least annually.
- C. The Facility SCS will submit a weekly written report of the facility's activities to the District SCS. The report will include major developments in each department or administrative unit; major incidents; population data; assessment of staff and inmate morale; and major problems and plans for solving them. Upon completion, these reports will be forwarded through the District SCS to the Chief of Corrections, who will review and then forward them to the Deputy Associate Director, Directorate of Operations.
- D. The Deputy Associate Director, Directorate of Operations or designee shall review and inspect facility operations and programs at least annually.

#### C1-56-02 IDENTIFICATION AND LOCATION RECORD

Each facility shall maintain a system that identifies all inmates in custody and their actual physical location.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-08; 2A-10;

### C1-56-03 SHIFT ACTIVITY LOG

Each facility shall maintain a written record of the following:

1. personnel on duty;
2. inmate population at the beginning and end of each shift;
3. record of counts taken;
4. shift activities;
5. entry and exit of professional and other visitors;
6. unusual occurrences or incidents;
7. hours of programs provided; and
8. clothing and linen exchange,
9. meal service.

### C1-56-04 SHIFT REPORT

A. After arriving at a post at the beginning of the shift, the On Duty Supervisor will initiate a computerized Shift Report by:

1. opening the Shift Report master form,
2. saving the new file in the directory for the appropriate month and using the date and shift as the file name (i.e. "031511.001" for March 15, 2011 midnight shift. 002 = day shift; 003 = evening shift),

B. The On Duty Supervisor will update the top portion of the Shift Report for his/her shift.

C. The On Duty Supervisor will enter a clear, complete, concise, and professional description of the pertinent information on the Shift Report during the shift for:

(b) (7)(E)



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-08; 2A-10;

(b) (7)(E) [Redacted]

D. (b) (7)(E) [Redacted]

E. (b) (7)(E) [Redacted]

F. (b) (7)(E) [Redacted]

G. (b) (7)(E) [Redacted]

H. (b) (7)(E) [Redacted]

I. (b) (7)(E) [Redacted]

J. (b) (7)(E) [Redacted]

C1-56-06 DAILY REPORTS

A. (b) (7)(E) [Redacted]

(b) (7)(E) [Redacted]

B. (b) (7)(E) [Redacted]

C. (b) (7)(E) [Redacted]

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-08; 2A-10;

### C1-56-07 WEEKLY REPORTS

Weekly financial and staffing level reports will be submitted by the Facility SCS to the Chief of Corrections through the chain of command.

### C1-56-08 MONTHLY REPORTS

A. (b) (7)(E)

- B. The District SCS will review the report and discuss any needed actions with the Facility SCS.
- C. The District SCS will forward the report and notification of any actions taken by the Facility SCS to the Chief of Corrections.

### C1-56-09 ANNUAL REPORTS

- A. The District SCS will submit an annual (Fiscal Year) written report to the Chief of Corrections for review and forwarding to the Deputy Associate Director, Directorate of Operations, which includes all of the information from the facility monthly reports and any other information requested by the District SCS.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-08; 2A-10;

- B. The Deputy Associate Director, Directorate of Operations shall submit a written annual report through the chain of command to the Deputy Director, Office of Justice Services, and shall forward a copy to other pertinent parties. The report shall address goals, objectives, population data, programs and services provided, budget, space and equipment needs and major developments.

#### C1-56-10 FACILITY INCIDENT REPORTS

Report generated by staff when a Serious Incident Report is not necessary or in conjunction with a Serious Incident Report or is a supplemental to a SIR.

BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

(b) (7)(E)



BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

(b) (7)(E)



BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

(b) (7)(E)





## L2-01    OJS USE OF FORCE

### POLICY


Based on the Fourth Amendment's "reasonableness" standard, OJS law enforcement and corrections/detention officers are authorized to use the amount of force that is objectively reasonable in light of the facts and circumstances known to that officer at the time force is used. Officers may use force which is reasonable, necessary, and appropriate to lawfully and properly neutralize an unlawful assault against officers or other persons, to restore order, to overcome resistance by a person being taken into custody, to affect an arrest, to prevent injury to oneself or other persons, prevent destruction of property, and to prevent escape.

### RULES AND PROCEDURES

#### L2-01-01 GENERAL INFORMATION

##### A. Rationale for Use of Force.

(b) (7)(E)



##### B. Objectively Reasonable Force

(b) (7)(E)



(b) (7)(E) [Redacted]

L2-01-02 OJS AUTHORIZATION TO USE FORCE

A. Deadly Force.

(b) (7)(E) [Redacted]

[Redacted]

→ B. Other Use of Force

(b) (7)(E) [Redacted]

[Redacted]

[Redacted]

C. Additional Criteria

(b) (7)(E) [Redacted]

(b) (7)(E)

D. Excessive Force.

The substantiated use of excessive force in any situation is not authorized, regardless of the provocation or action of the offender, and will result in disciplinary action, termination, and/or criminal prosecution.

L2-01-03 USE OF FORCE ELEMENTS

- A. There are three elements the U.S. Supreme Court has identified as critical in the determination of the “objective reasonableness” of force utilization. This standard asks whether the officer’s actions are objectively reasonable in light of the facts and circumstances confronting the officer and not whether the officer’s subjective intent or motive was evil or good.
- B. These elements are the reasonable officer’s perception of the situation (Officer Perception) and the officer’s perception of the suspect’s actions (Subject Action) which should determine the officer’s selected force response (Officer Response).

C. (b) (7)(E)

L2-01-04 OFFICER PERCEPTIONS

A. Ability/Capability

(b) (7)(E)

B. Opportunity

(b) (7)(E)

[Redacted]

C. Intent

(b) (7)(E)

[Redacted]

L2-01-05 SUBJECT ACTIONS

A. Compliant (Cooperative)

(b) (7)(E)

[Redacted]

B. Resistant (Passive)

(b) (7)(E)

[Redacted]

C. Resistant (Active)

(b) (7)(E)

[Redacted]

D. Assaultive (Physical Injury)

(b) (7)(E)

[Redacted]

E. Assaultive (Serious Physical Injury/Death)

(b) (7)(E)

[Redacted]

## L2-01-06 OFFICER RESPONSES

### A. Cooperative Control

(b) (7)(E)



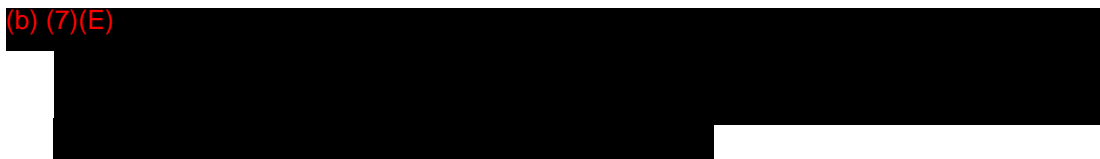
### B. Contact Control

(b) (7)(E)



### C. Compliance Techniques

(b) (7)(E)



(b) (7)(E)



#### D. Defensive Tactics

(b) (7)(E)



### E. Deadly Force

(b) (7)(E)



(b) (7)(E)

#### L2-01-07 MEDICAL ASSISTANCE AND TRANSFER OF CUSTODY

- A. Following any reportable use of force, as soon as reasonably practical, officers will determine if anyone was injured and render medical aid consistent with training and request Emergency Medical Service (EMS) if necessary.
- B. Prior to transferring custody of a subject that force was used upon; OJS officers shall verbally notify the receiving agency or employee of:

(b) (7)(E)

#### L2-01-08 USE OF FORCE TRAINING




All division associate directors, Chief's of Police, Special Agents in Charge, and **Supervisory Correctional Specialists** will ensure that all officers are issued this order and are thoroughly trained in its content prior to being authorized to carry a firearm or other intermediate weapon. Each officer will receive annual re-training on the OJS Use of Force policy.

## L2-01-09 USE OF FORCE REPORTING

- A. A supervisor or investigator will be immediately notified and the supervisor/investigator will ensure that a written use of force report is completed and forwarded through the chain of command in the following situations:

(b) (7)(E)



- B. Administrative Leave

(b) (7)(E)



2. OJS may conduct both an administrative and criminal investigation into the incident.

- C. Administrative review of use of force incidents

(b) (7)(E)



- D. The investigative reports of incidents of use of force which resulted in death or serious physical injury to any person as a result of the officer's actions will be forwarded for review to the U.S. Attorney's Office to determine if criminal charges will be filed.



Effective: 01/01/2012  
BIA-Adult Detention Facility Guidelines December 2010:

Revised:

BIA ADF-2B-01(M); 2B-04; 7B-06(M)

Also Refer to LE Handbook 2-01 Use of Force

## C2-02 USE OF FORCE IN DETENTION FACILITIES

### POLICY

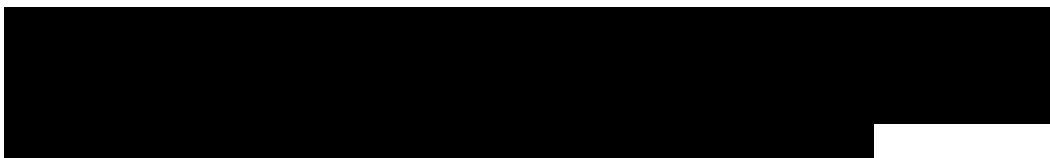
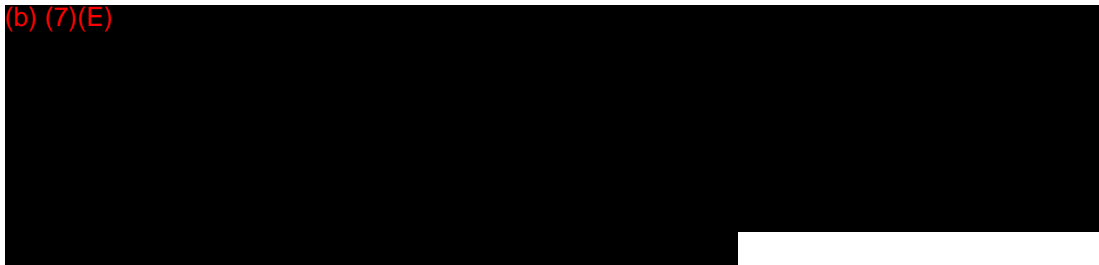
The use of force by BIA-OJS employees is clearly defined in the Office of Justice Services Law Enforcement Handbook, directive L2-01 "Use of Force" which can be found in this Handbook. The LE Handbook directive L2-01 is applicable and is distributed to all BIA-OJS employees. Additional rules and regulations applicable to Detention Facilities are provided in this directive. In no case will this directive (C2-02) replace or supersede directive L2-01 in the Law Enforcement Handbook.

### RULES AND REGULATIONS

#### C2-02-01 USE OF FORCE IN DETENTION FACILITIES

- A. All Correctional Officers (CO) will be thoroughly trained in all aspects of the use of force and will acknowledge such training in a signed acknowledgement. All use of force will be documented on the appropriate forms and reports required.

B. (b) (7)(E)



#### C2-02-02 PRINCIPLES GOVERNING THE USE OF FORCE IN A DETENTION FACILITY

- A. Whenever possible, staff shall first attempt to gain the inmate's voluntary cooperation before using force.
- B. Force may not be used to punish an inmate.
- C. Hog tying and leaving an inmate in a face down position after application of restraints is prohibited.
- D. Force may be warranted to include, but are not limited to:

(b) (7)(E)



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2B-01(M); 2B-04; 7B-06(M)

Also Refer to LE Handbook 2-01 Use of Force

### C2-02-03 INCIDENTS REQUIRING USE OF FORCE

Staff is authorized to use force or apply physical restraints when it is necessary to gain control of an inmate whose actions meet any of the following:

(b) (7)(E)



### C2-02-04 IMMEDIATE USE OF FORCE

- A. Staff may immediately use force and/or apply restraints when the inmate behavior constitutes an immediate, imminent threat to the inmate, staff, others, property, or to institution security and good order.
- B. In an immediate use of force situation, detention staff may respond with or without the presence or direction of a supervisor.

### C2-02-05 USE OF FORCE SAFEGUARDS

- A. Whenever possible and available, in a use of force circumstance, staff should obtain and use appropriate protective equipment (helmets with face shields, jumpsuits, gloves, pads, etc.) prior to intervening.

(b) (7)(E)



- B. Following any use of force incident, any area where there is spillage of blood, or other body fluids, shall be sanitized immediately upon the authorization from the supervisor in charge, who must first make the determination whether there is a need to preserve evidence.
  - 1. All blood and body secretions shall be immediately removed in an appropriate waste disposal container and the area washed with a disinfectant solution (e.g. bleach solution), pursuant health care policies.

Effective: 01/01/2012


Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2B-01(M); 2B-04; 7B-06(M)

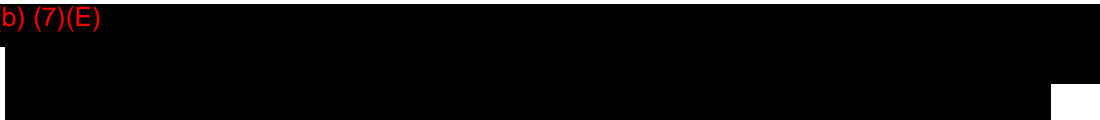
Also Refer to LE Handbook 2-01 Use of Force

2. (b) (7)(E)





C2-02-06 USE OF CHEMICAL AGENTS OR LESS-LETHAL WEAPONS


A. (b) (7)(E)



B. (b) (7)(E)

C. (b) (7)(E)



C2-02-07 USE OF BATON

(b) (7)(E)



(b) (7)(E)



Effective: 01/01/2012

Revised:

Also Refer to LE Handbook 2-01 Use of Force

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2B-01(M); 2B-04; 7B-06(M)

## C2-02-08 USE OF CHEMICAL AGENTS

(b) (7)(E)

(b) (7)(E)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Effective: 01/01/2012

Revised:


Also Refer to LE Handbook 2-01 Use of Force

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2B-01(M); 2B-04; 7B-06(M)

### C2-02-09 USE OF OLEORESIN CAPSICUM

(b) (7)(E)



### C2-02-10 USE OF BITE GUARDS

(b) (7)(E)



(b) (7)(E)



(b) (7)(E)

### C2-02-11 MEDICAL ATTENTION IN USE OF FORCE INCIDENTS

- A. In immediate use of force situations, staff shall seek the assistance of a mental health or qualified health care provider, if available, upon gaining physical control of the inmate. When possible, staff shall seek such assistance at the onset of the violent behavior.

Effective: 01/01/2012

Revised:

Also Refer to LE Handbook 2-01 Use of Force

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2B-01(M); 2B-04; 7B-06(M)

- B. After any use of force or forcible application of restraints, the inmate shall be examined by a qualified health care provider, if available. Any injuries will be noted and photographed, and immediately treated. When mental health staff or qualified health care personnel determine that an inmate requires continuing care, and particularly when the inmate to be restrained is pregnant, the deciding staff shall assume responsibility for the inmate's care, to include possible admission to the hospital, or, in the case of a pregnant inmate, restraining her in other than face down four-point restraints.
- C. If any staff involved in a use of force reports an injury, a qualified health care personnel should provide immediate examination and initial emergency treatment.

#### C2-02-12 TRAINING IN USE OF FORCE

- A. In order to control any potential situation involving aggressive inmates, all staff must be made aware of their responsibilities through ongoing training. At a minimum, training must cover:

(b) (7)(E)

- B. Training Topics:

(b) (7)(E)

- C. Restraints Training:

(b) (7)(E)

(b) (7)(E)

## C2-02-13 USE OF FORCE DOCUMENTATION AND REPORTING

- A. Staff shall document all incidents involving the use of force, chemical agents, OC spray, application of progressive restraints, or less-lethal weapons on a Serious Incident Report (SIR) (See policy, Serious Incident Reporting). A copy of the report shall be placed in a Use of Force folder.
1. This documentation will include, whenever practicable or available, audio/video recording of the incident and having it reviewed by the After-Action Review Team. Reports and audio/video media/tapes of the incident must be reviewed, audited, and monitored by management staff.
  2. Use of force incidents must be reported and investigated both to protect staff from unfounded allegations and to eliminate the unwarranted use of force.
  3. (b) (7)(E)  
(b) (7)(E)
- B. The confrontation avoidance process will be documented in writing for placement in the inmate's Use of Force file, and will be audio/video recorded (if available and staff resources allow) to include an introduction of all staff participating in the confrontation avoidance group and the actual confrontation avoidance process.
1. (b) (7)(E)
  2. (b) (7)(E)
- C. The Facility SCS shall ensure all documentation, including a copy of the audio/video recording, if produced, and a copy of the SIR is maintained. A Use of Force file shall be established, and documentation on each individual use of force incident will be separately filed within this file and maintained as evidence.

## C2-02-14 AFTER-ACTION REVIEW OF USE OF FORCE

- A. (b) (7)(E)

Effective: 01/01/2012

Revised:

Also Refer to LE Handbook 2-01 Use of Force

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2B-01(M); 2B-04; 7B-06(M)

B. They should gather relevant information to determine if policy was followed, and then initiate a standard After-Action Review Report (Appendix B), completing sections 1-16. This report, along with the audio/video recording shall be forwarded to the Chief of Corrections, (b) (7)(E) after the incident. Once received, an After-Action Review Team shall be designated by the Chief of Corrections.

C. (b) (7)(E)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]



Effective: 01/01/2012


Revised:

Also Refer to LE Handbook 2-01 Use of Force

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2B-01(M); 2B-04; 7B-06(M)

(b) (7)(E)



- D. The reviewers should also decide if the matter requires further investigation, and whether the incident should be referred to the Directorate of Professional Standards. If deemed appropriate, the Chief of Correction's rationale for such an assessment shall be included. Copies of this report shall be forwarded to the Deputy Associate Director, Directorate of Operations.

BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

(b) (7)(E)



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2C-01; 2C-02; 2C-03; 2C-04;

## C2-03 SEARCHES

### POLICY

The Office of Justice Services controls the introduction of contraband into detention facilities and maintains institutional security and order by searching inmates whenever appropriate, preserving constitutional rights.

### DEFINITIONS:

- A. Contraband – In a detention setting, there are two types of contraband, one type being administrative and one being illegal. Neither type of contraband is allowed to be possessed by an inmate.
  
- B. Administrative Contraband – Personal property items that are not illegal to possess but are items not permitted in a detention facility due to health and safety concerns. These items include but are not limited to:
  - 1. Tobacco products, alcoholic beverages
  - 2. Over the counter medications
  - 3. Prescription medications
  - 4. Cell phones-MP3 players
  - 5. Pocket knives
  
- C. Illegal Contraband – Items possessed by an arrestee/inmate that are illegal to possess. These items include but are not limited to:
  - 1. Non-prescription controlled substances
  - 2. Marijuana

### RULES AND REGULATIONS

#### C2-03-01 GENERAL

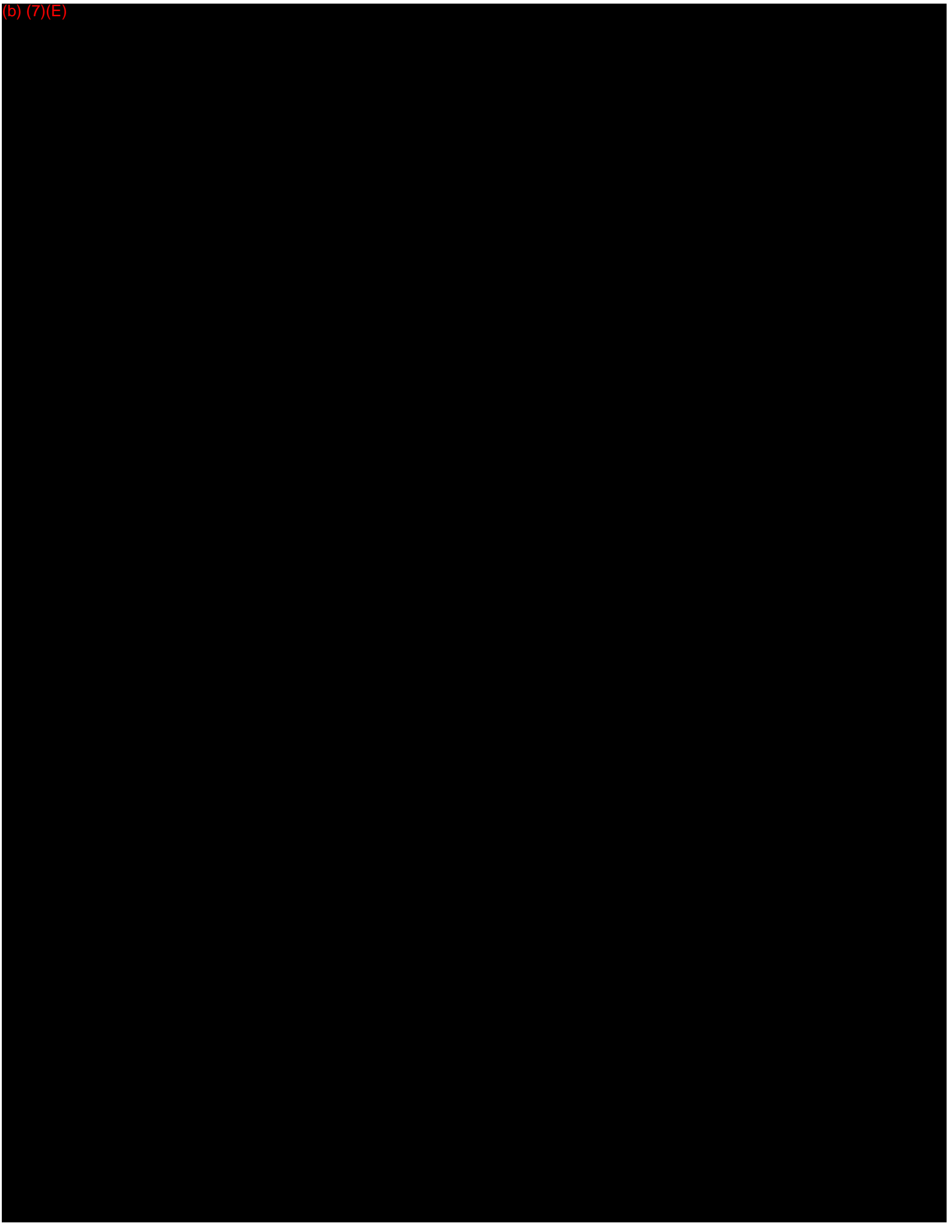
The Bureau of Indian Affairs, Office of Justice Services authorizes detention staff to conduct searches as outlined in this policy. All searches will be accomplished to ensure the safety and security of the facility, in a professional and respectful manner. All searches will be conducted with the least amount of disruption as possible. Property in searched areas will not be damaged or unduly disturbed whenever possible.































Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2B-02; 2B-03(M); 4D-12(M);

## C2-04 RESTRAINT OF INMATES

### POLICY


Office of Justice Service detention officers will use appropriate restraints on inmates when necessary, to protect the inmate, detention officers, property, and the public.

### RULES AND REGULATIONS

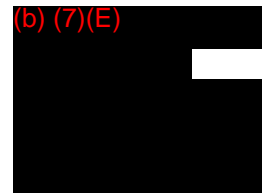
#### C2-04-01 RESTRAINTS

- A. The use of restraints is not considered use of force, particularly in the movement or transfer of inmates (e.g., the use of handcuffs in moving inmates to and from a cell in detention, escorting an inmate to a segregated housing unit pending investigation, etc.).
- B. Only restraint equipment authorized by the Chief of Corrections is approved. This equipment will only be used for authorized purposes and all Detention Officers/Supervisors using this equipment will receive documented training in the proper application of these restraints. Authorized restraints include the following:

(b) (7)(E)  
(b) (7)(E)



(b) (7)(E)



- C. Four point restraints and restraint chair should only be used as a last resort when all other means of restraint have proven ineffective and the inmate is highly assaultive/aggressive or self-injurious.

#### C2-04-02 PROGRESSIVE AND AMBULATORY RESTRAINTS

- A. Progressive restraints are defined as the process of using the least restrictive restraint method to control the inmate as deemed necessary for the situation. Based on the inmate's behavior, more restrictive and secure restraints may be used. Ambulatory restraints are defined as approved soft and hard restraint equipment which allows the inmate to eat, drink, and take care of basic human needs (b) (7)(E).
- B. When it is necessary to restrain an inmate for longer than two hours, the District SCS will be notified telephonically by the Facility SCS.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:      BIA ADF-2B-02; 2B-03(M); 4D-12(M);

- C. Ambulatory restraints should initially be used to restrain an inmate if deemed appropriate for the situation, keeping in mind that they create a fall hazard. If the situation dictates the need for more restrictive or secure restraints, based on the inmate's behavior, staff should make the determination regarding what form of restraint method should be used; i.e., hard restraints without waist chain or waist belt, hard restraints with waist chain or waist belt, four-point soft restraints with hard restraints used for securing the inmate to the bed, and finally, four-point hard restraints.
  
- D. In situations involving highly assaultive and aggressive inmates, progressive restraints may be used as an intermediate measure in placing the inmate into, or removing an inmate from, four-point restraints.

#### C2-04-03 USE OF FOUR-POINT RESTRAINTS

(b) (7)(E) [Redacted text block]

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2B-02; 2B-03(M); 4D-12(M);

(b) (7)(E)



C2-04-04 USE OF A RESTRAINT CHAIR

(b) (7)(E)



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2B-02; 2B-03(M); 4D-12(M);

(b) (7)(E)

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] causes unnecessary physical pain or extreme

discomfort.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2B-02; 2B-03(M); 4D-12(M);

(b) (7)(E)

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#### C2-04-05 APPLYING CHAIR RESTRAINTS

(b) (7)(E)

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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:      BIA ADF-2B-02; 2B-03(M); 4D-12(M);

### C2-04-06 PLACEMENT IN A RESTRAINT CHAIR

(b) (7)(E)

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### C2-04-07 OBSERVATION OF INMATES IN A RESTRAINT CHAIR

(b) (7)(E)

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2B-02; 2B-03(M); 4D-12(M);

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C2-04-08 EXERCISING EXTREMITIES

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2B-02; 2B-03(M); 4D-12(M);

(b) (7)(E)

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C2-04-09 USE OF RESTROOM

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C2-04-10 REMOVAL FROM RESTRAINT CHAIR

(b) (7)(E)

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) (7)(E)



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2B-02; 2B-03(M); 4D-12(M);

### C2-04-11 USE OF RESTRAINTS IN SPECIAL CIRCUMSTANCES

(b) (7)(E)

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### C2-04-12 TRAINING

(b) (7)(E)

[Redacted text block]

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2B-02; 2B-03(M); 4D-12(M);

(b) (7)(E)

### C2-04-13 APPLICATION OF RESTRAINT REPORTING AND DOCUMENTATION

(b) (7)(E)

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2B-02; 2B-03(M); 4D-12(M);

(b) (7)(E)

[Redacted text block]

C2-04-14 AFTER-ACTION REVIEW OF APPLICATION OF RESTRAINTS INCIDENTS

(b) (7)(E)

[Redacted text block]

BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

(b) (7)(E)



BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

(b) (7)(E)



BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

(b) (7)(E)



(b) (7)(E)



BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

(b) (7)(E)





Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## C2-05 RESPONSE TO EMERGENCY SITUATIONS IN DETENTION FACILITIES

### POLICY

(b) (7)(E)



### DEFINITIONS

(b) (7)(E)


### RULES AND REGULATIONS

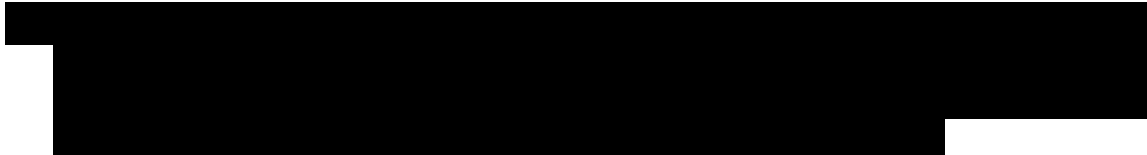
#### C2-05-01 GENERAL

(b) (7)(E)

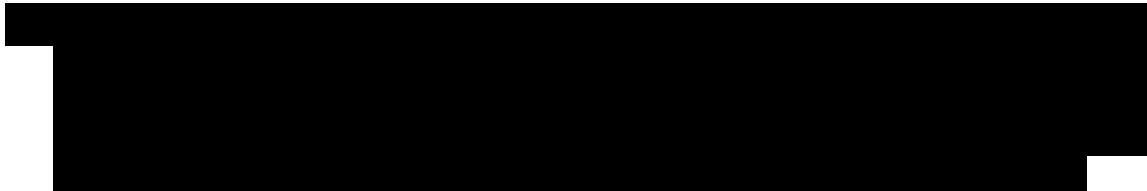
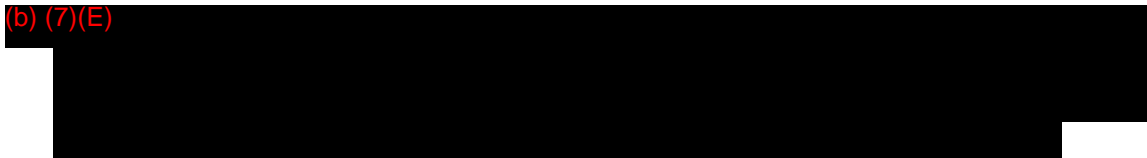

Effective: 01/01/2012 Revised:  
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(b) (7)(E)



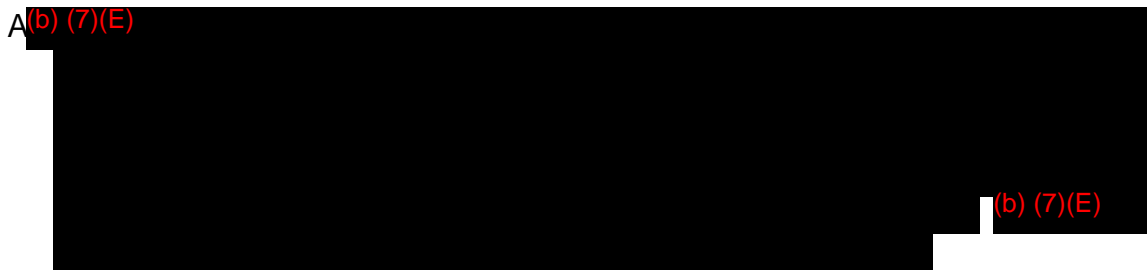
### C2-05-02 DISTURBANCE RESPONSE TEAM TECHNIQUE

(b) (7)(E)



### C2-05-03 CONFRONTATION AVOIDANCE PROCEDURES

A (b) (7)(E)



(b) (7)(E)

Effective: 01/01/2012 Revised:  
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(b) (7)(E) [Redacted]

[Redacted]

[Redacted]

C2-05-04 TACTICAL RESPONSE SAFEGUARDS

(b) (7)(E) [Redacted]

[Redacted]

C2-05-05 TRAINING IN THE DISTURBANCE RESPONSE TEAM TECHNIQUE

(b) (7)(E) [Redacted]

C2-05-06 DISTURBANCE RESPONSE TEAM TECHNIQUE

(b) (7)(E) [Redacted]

[Redacted]

(b) (7)(E)

Effective: 01/01/2012      Revised:  
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(b) (7)(E) [Redacted]

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Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

(b) (7)(E)

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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

### C2-05-07 TEAM MEMBER RESPONSIBILITIES

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### C2-05-08 TACTICAL RESPONSE AUDIO/VIDEO RECORDING

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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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(b) (7)(E)



### C2-05-09 RELEASE OF DISTURBANCE RESPONSE AUDIO/VIDEO RECORDINGS

(b) (7)(E)



(b) (7)(E)

### C2-05-10 STAFF INVOLVED IN LEGAL PROCEEDINGS

(b) (7)(E)



### C2-05-11 TACTICAL RESPONSE DOCUMENTATION AND REPORTING

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Effective: 01/01/2012      Revised:  
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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

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## C2-07 PERIMETER SECURITY AND PERIMETER CHECKS

### POLICY

The OJS Directorate of Operations is committed to protecting the public, and maintaining a secure, safe, and orderly environment for inmates and staff in all BIA detention facilities. Facility perimeter checks will be conducted in a timely manner.

### DEFINITIONS:

Facility Perimeter-The entire area on the outside of the facility which encompasses the facility site. Included in the perimeter are all fences, outbuildings, parking lots and outdoor recreation areas.

### RULES AND PROCEDURES

#### C2-07-01 GENERAL

- A. To provide a secure perimeter, perimeter checks and tests of all security devices shall be routinely accomplished, to ensure they are operational and have not been tampered with. All security doors shall be locked at all times, except when passing through them or in emergency situations, the detention facility will be secured to ensure inmates remain within the secure perimeter, and access by the general public is denied without proper authorization.
- B. The below security issues are required to be followed, or specifics addressed in local procedures, to ensure a secure perimeter is maintained. Procedures will be tailored to meet the uniqueness of each facility.
- C. The Detention Facility SCS is responsible for initiating a perimeter check procedure which includes the following requirements.

#### C2-07-02 PERIMETER CHECKS

- A. Perimeter check procedures will include the following:

(b) (7)(E)

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-04

(b) (7)(E)



- B. The Perimeter Checklist will be attached to the Shift Report prior to the end of shift.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-01

## C2-08 CONTROL CENTER AND DOOR CONTROL

### POLICY

OJS Detention Facilities are maintained by a secure control center, referred to as "Control" that monitors electronically controlled doors and communications systems within the facility, limits access to the secure perimeter and controls internal movement in order to enhance security and safety for staff, visitors, and inmates.

### RULES AND PROCEDURES

#### C2-08-01 GENERAL INFORMATION

- A. The Control Officer in a facility may be the Facility SCS.
- B. Some of the procedures detailed in this directive may not be applicable, based on facility size and availability of technology. As technology becomes available, identified procedures will be applicable. Personnel will be trained on the use of new technology when it is implemented. Maintenance of equipment will be based on manufacturer's guidelines.

#### C2-08-02 DOOR CONTROL PROCEDURES

- A. Door control procedures will include:

(b) (7)(E)



- B. Door control procedures will be established and maintained by each Facility SCS, based on the facility layout.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-01

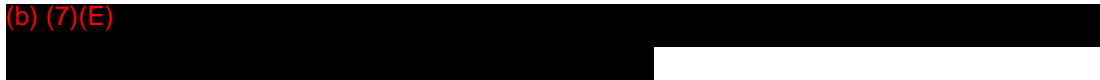
### C2-08-03 CONTROL CENTER OPERATIONS

A. The Central Control room will contain:

(b) (7)(E)



B. (b) (7)(E)



### C2-08-04 SECURITY CONTROL - GENERAL OPERATION

A. The Control Officer will record information regarding significant occurrences, activities, and operations of the facility on his/her Post Log.

B. (b) (7)(E)



C. (b) (7)(E)  
(b) (7)(E)



D. (b) (7)(E)



E. (b) (7)(E)



F. (b) (7)(E)



G. (b) (7)(E)



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-01

H. (b) (7)(E) [Redacted]

I. (b) (7)(E) [Redacted]

J. (b) (7)(E) [Redacted]

[Redacted]

K. The Control Officer will notify the Shift Supervisor of any significant or unusual events which occur on his/her shift.

L. The Shift Supervisor will brief the oncoming Shift Supervisor of any significant or unusual events which require further monitoring.

M. The Control Officer will log on the Post Log any significant or unusual activity and brief the oncoming Control Officer of any events which could require further monitoring.

#### C2-08-05 CLOSED CIRCUIT TELEVISION USE

A. (b) (7)(E) [Redacted]

B. (b) (7)(E) [Redacted]

C. (b) (7)(E) [Redacted]

D. (b) (7)(E) [Redacted]

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-01

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Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## C2-09 BOMB THREATS AND BOMB EMERGENCIES

### POLICY

Detention facility staff will immediately respond to bomb threats and bomb emergencies to ensure utmost safety for staff, inmates, and the public.

The Facility SCS will identify the closest law enforcement/military organization having bomb technician(s) and pre-arrange for their response, if necessary.

### DEFINITIONS:

- A. A "bomb threat" occurs when a communication is received from an unknown source that a bomb is at the facility or when a staff member observes a suspicious container that does not belong in the facility.
- B. A "bomb emergency" occurs when a device is found that most likely is a bomb.

### RULES AND PROCEDURES

#### C2-09-01 BOMB THREATS

##### A. Receiving Bomb Threats

1. A staff member receiving a bomb threat will attempt to obtain and write down the information to the questions outlined in the below listed Bomb Threat Checklist, which includes:


(b) (7)(E)



2.



3. (b) (7)(E)



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BIA-Adult Detention Facility Guidelines December 2010

4. (b) (7)(E)
5. (b) (7)(E)
6. (b) (7)(E)  
(b) (7)(C), (b) (6)
7. (b) (7)(E)
8. (b) (7)(C), (b) (6) (b) (7)(E)
9. (b) (7)(E)
10. (b) (7)(E)

#### B. Bomb Search Techniques

1. Staff members will search their post using the following techniques:

- (b) (7)(E)
2. (b) (7)(E)
3. (b) (7)(E)
4. (b) (7)(E)

### C2-09-02 BOMB EMERGENCIES

#### A. Discovery of a Bomb

1. (b) (7)(E)

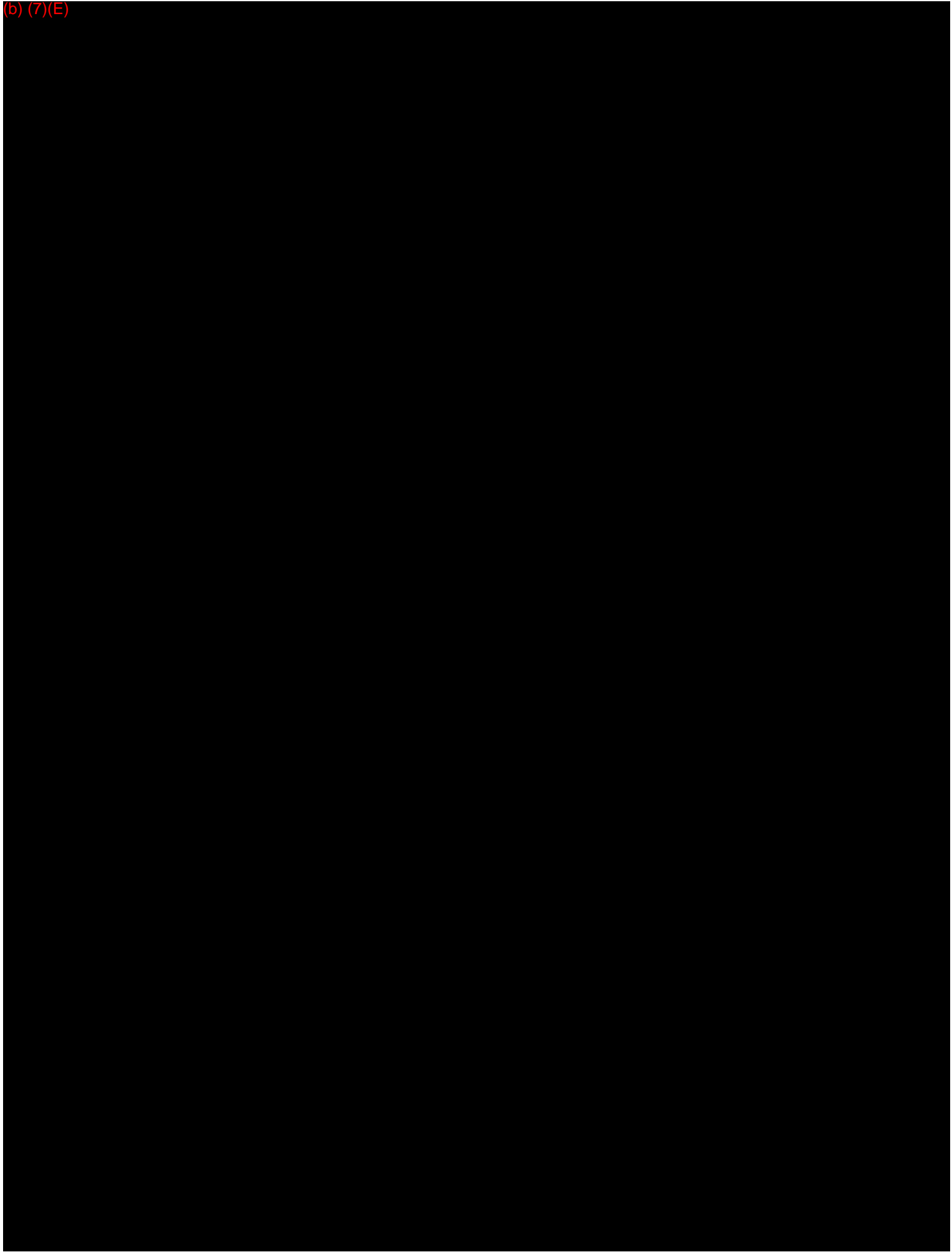


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2. (b) (7)(E) [Redacted]
3. (b) (7)(E) [Redacted]
4. (b) (7)(E) [Redacted]
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(b) (7)(E) [Redacted]
6. (b) (7)(E) [Redacted]
7. (b) (7)(E) [Redacted]
8. (b) (7)(E) [Redacted]
9. (b) (7)(E) [Redacted]
10. (b) (7)(E) [Redacted]
11. (b) (7)(E) [Redacted]
12. The On Duty Supervisor will complete a Serious Incident Report (SIR).

**B. Bomb Emergency Evacuation Plan**

1. The Facility SCS will prepare and update as necessary a partial and total evacuation plan.
2. The On Duty Supervisor will determine, based on the threat or discovery of a suspected bomb, if and how much of the Facility will be evacuated.



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1C-01(M); 1C-02(M); 1C-03(M)

## C2-10 EMERGENCY MANAGEMENT PLANS (EMP)

### POLICY

All OJS Detention Facilities will develop and implement emergency plans necessary for the safety of staff, inmates, and the public.

Emergency and Contingency Plans are facility specific internal procedures and are therefore exempted from disclosure under the Freedom of Information Act.

### RULES AND PROCEDURES

#### C2-10-01 EMERGENCY PLANS

The Facility SCS shall develop written plans that specify procedures to be followed in emergency situations. The SCS shall make these plans available to applicable personnel and shall review and update them at least annually. All facility personnel shall be trained in the implementation of these plans. Emergency situations shall include, but are not limited to:

1. attempted suicides;
2. Bomb threat/emergency;
3. Camera security system outage;
4. Crime scene management;
5. escapes and unauthorized absences;
6. fire;
7. hostage situations;
8. hunger strikes;
9. Inclement weather and natural/manmade disasters;
10. Key control;
11. Mass arrests;
12. Mass transports;
13. other threats to the security of the facility;
14. Partial and total evacuation;
15. Population management (overcrowding);
16. riots and disturbances;
17. unattended deaths, including completed suicides;
18. work stoppages;

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1C-01(M); 1C-02(M); 1C-03(M)

## C2-10-02 FIRE EMERGENCY PLAN

### A. Extinguishing a Small Fire

1. When a staff member discovers a fire, he/she will call the Control/Dispatch Officer by intercom, radio, or direct means and give him/her the following information:

(b) (7)(E)

2. The Control/Dispatch Officer will call responsible fire authority to notify them of the fire.
3. The Control/Dispatch Officer will notify the On Duty Supervisor using the most direct means available.
4. If the fire is small enough to extinguish, staff will extinguish it utilizing the nearest fire extinguisher. (b) (7)(E)

5. (b) (7)(E)

6. The On Duty Supervisor or the Control/Dispatch Officer will call the responsible fire authority and notify them of the incident and the status. The fire authority will determine if they need to respond to the facility.
7. The On Duty Supervisor will determine the source of ignition and possible future hazards and initiate corrective action.

8. (b) (7)(E)

9. The staff member who discovered the fire will complete an Incident Report.

## C2-10-03 EVACUATION PLANS AND EMERGENCY DRILLS

### A. Evacuation Plan

The Facility SCS shall develop a written evacuation plan prepared in case of fire or major emergency. The plan shall comply with 29 CFR 1910.38 or comparable tribal code. The applicable Safety Officer or designee shall review and approve the plan initially and annually. The Facility SCS shall update and reissue the plan if necessary. The plan shall include:

(b) (7)(E)

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1C-01(M); 1C-02(M); 1C-03(M)

## B. Emergency Drills

1. Monthly, the Training Coordinator will select a date for the emergency drill (b) (7)(E)  
[REDACTED]
2. The Training Coordinator will develop an emergency drill scenario for use in that drill. (b) (7)(E)  
[REDACTED]
3. The Training Coordinator will advise the Facility SCS and On Duty Supervisors of the date of the upcoming drill.
4. At the scheduled time, the Training Coordinator will inform the On Duty Supervisor and the Facility SCS that the drill is about to begin and provide them with a copy of the emergency drill scenario.
5. Staff will notify the Control/Dispatch Officer of the drill and of the emergency drill scenario including the location of the emergency and the level of the emergency.
6. (b) (7)(E)  
[REDACTED]
7. (b) (7)(E)  
[REDACTED]
8. (b) (7)(E)  
[REDACTED]
9. (b) (7)(E)  
[REDACTED]
10. For fire drills, staff will notify the Control/Dispatch Officer of the location of the fire, the size of the fire, and the amount of smoke present in the area.
11. (b) (7)(E)  
[REDACTED]
12. (b) (7)(E)  
[REDACTED]
13. (b) (7)(E)  
[REDACTED]
14. (b) (7)(E)  
[REDACTED]
15. The staff and On Duty Supervisor will direct other present staff and inmates as to what action to take.
16. (b) (7)(E)  
[REDACTED]
17. (b) (7)(E)  
[REDACTED]
18. (b) (7)(E)  
[REDACTED]

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

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19. (b) (7)(E)
20. The On Duty Supervisor and the Training Coordinator will discuss the drill and critique it.
21. The Training Coordinator will type the critique and distribute copies to the Staff Training Room clipboard, the On Duty Supervisor, and the Facility SCS.
22. The On Duty Supervisor will discuss the critique with his/her employees at the next shift briefing.
23. The Training Coordinator will retain the original critique in the file maintained in his office for that purpose.

#### C2-10-04 TOTAL FACILITY EVACUATION

##### A. Emergency Exits

In compliance with 29 CFR 1910.37, designated exits in the facility shall permit prompt evacuation of inmates and staff members in an emergency. Facility exits shall be properly positioned, clear and distinctly and permanently marked.

##### B. Evacuation Plan

The facility SCO shall develop a written evacuation plan prepared in case of fire or major emergency. The plan shall comply with 29 CFR 1910.38 or comparable tribal code. The applicable Safety Officer or designee shall review and approve the plan initially and annually. The facility SCS shall update and reissue the plan if necessary. The plan shall include:

(b) (7)(E)

##### C. Returning to the Facility

1. The Public Safety Inspector, Facilities Management Safety Inspector, Fire Safety Officer, and Facility SCS will inspect the facility to determine if it can be re-occupied. If it can be re-occupied, continue with this procedure. If not, (D.) *Delays in Returning to the Facility* is to be implemented.
2. When inmates and staff are able to return to the Facility, the On Duty Supervisor will notify the receiving site.
3. (b) (7)(E)

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1C-01(M); 1C-02(M); 1C-03(M)

4. (b) (7)(E)
5. (b) (7)(E)
6. (b) (7)(E)
7. (b) (7)(E)
8. Once all inmates and staff have returned, the Facility will resume normal operations.

#### D. Delays in Returning to the Facility

1. If the inmates and staff are not able to return to the Facility for an extended period, the Facility SCS will call a meeting to discuss facility status and staff reallocation.
2. (b) (7)(E)
3. The Facility SCS and Facilities Maintenance Management Personnel will oversee repairs to the facility.
4. The Facility SCS will determine when inmates will return to the Facility.
5. When this has been determined, the Facility SCS will notify any facilities holding inmates when they will be picked up.
6. The Facility SCS and On Duty Supervisor will confirm that appropriate staffing is available at the Facility.
7. (b) (7)(E)
8. The District SCS and Facility SCS will organize the return of inmates to the Facility.
9. Once all inmates have been returned, the facility will resume normal operations.

### C2-10-04 INCLEMENT WEATHER-NATURAL DISASTERS-MANMADE DISASTERS

#### A. Response by Housing Unit

1. Staff witnessing or being notified of severe weather or other potential natural/manmade disaster will immediately notify the Control/Dispatch Officer by radio, telephone or in person.
2. The Control/Dispatch Officer will notify the On Duty Supervisor by radio or telephone of the condition.
3. (b) (7)(E)
4. The Control/Dispatch Officer will notify all staff of the condition by radio or telephone.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1C-01(M); 1C-02(M); 1C-03(M)

5. (b) (7)(E)

6. (b) (7)(E)

7. (b) (7)(E)

#### B. Response from Program Areas

(b) (7)(E)

#### C. Response from the Maintenance Mechanic

1. The On Duty Supervisor will determine if the situation may involve the loss of utilities.
2. The On Duty Supervisor will instruct the Control/Dispatch Officer to call in the Maintenance Mechanic.
3. The Maintenance Mechanic will respond to the Detention Facility to monitor electricity and the emergency generator.

#### D. Emergency Call-In Staff

1. The On Duty Supervisor will determine if additional staff is required to handle the situation.
2. (b) (7)(E)
3. (b) (7)(E)
4. (b) (7)(E)
5. (b) (7)(E)
6. (b) (7)(E)



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

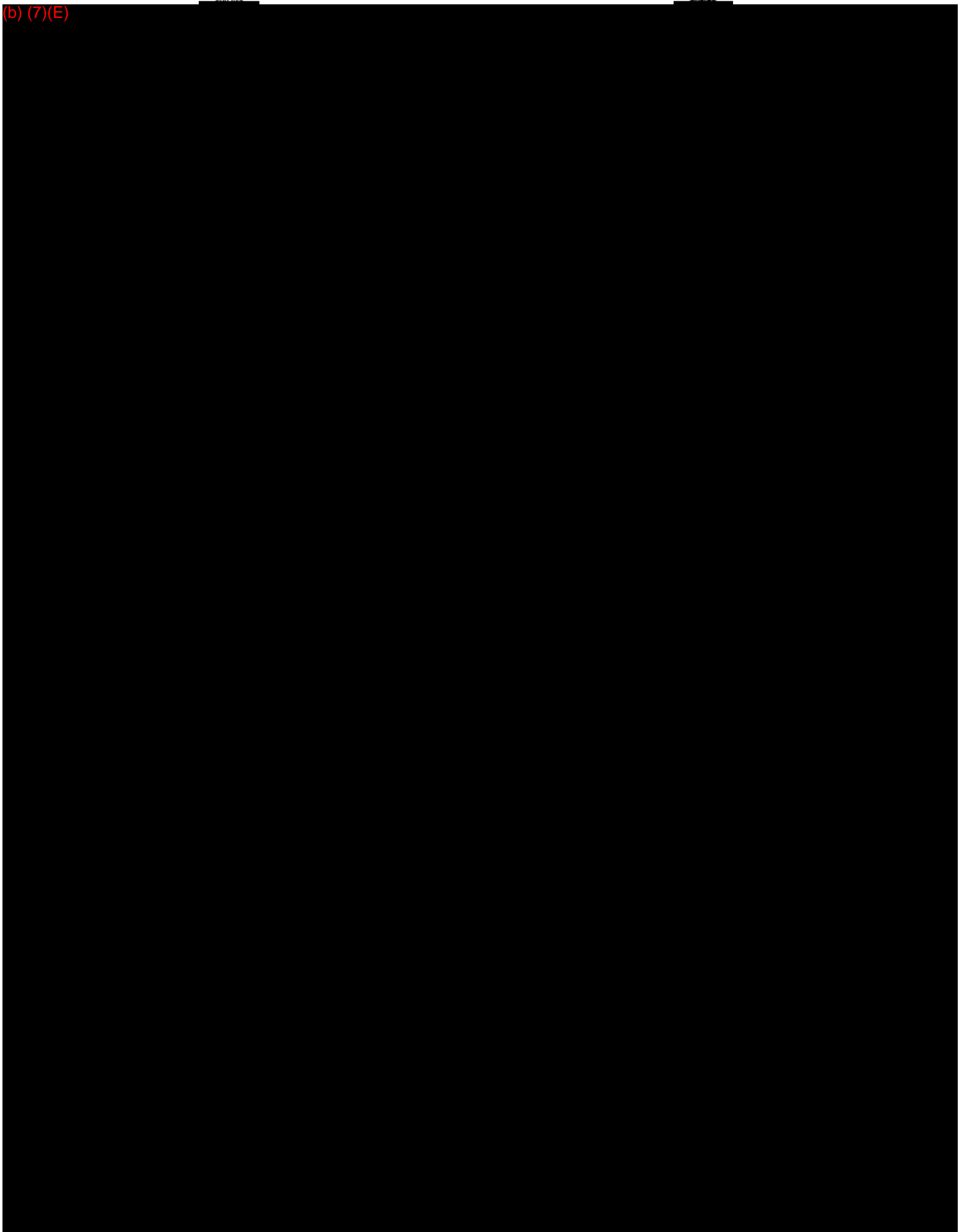
BIA ADF-1C-01(M); 1C-02(M); 1C-03(M)

## C2-10-05 HUNGER STRIKE

When detention facility staff identify a hunger strike, staff, in conjunction with health care personnel, will monitor the involved inmates' health, and attempt to resolve the issue surrounding the hunger strike in order to provide for inmate well being and to determine if the hunger strike is the result of detention facility operations.

## C2-10-06 WORK STOPPAGE

- A. Detention staff are prohibited from participating in a work stoppage to ensure secure and safe facility operation. Those who participate in a work stoppage will be subject to disciplinary action and possible termination.
- B. It is the duty of every staff member to appear for work on the date and time scheduled. Any staff member who fails to do so is "absent without leave." Any staff absent without leave is subject to discipline and possible termination.
- C. Determination of Work Stoppage
  1. The Shift Supervisor may determine that a work stoppage is in progress.
  2. The Shift Supervisor will immediately notify the Facility SCS of the possible work stoppage.
  3. The Facility SCS will notify the District SCS and authorize the call in of necessary staff; the Shift Supervisor will call in the necessary staff.
  4. If staff is not available, the Facility SCS will contact the local Chief of Police about the use of Police Officers.
- D. Continuation of Facility Operation
  1. The Facility SCS will take steps to continue the smooth and efficient operations by:
    - a. Establishing an Emergency Chain-of-Command for the work force remaining on site.
    - b. (b) (7)(E)
    - c. (b) (7)(E)
    - d. (b) (7)(E)
    - e. (b) (7)(E)



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1C-01(M); 1C-02(M); 1C-03(M)

(b) (7)(E)



#### E. Work Stoppage- Debriefing

1. The Facility SCS will conduct a debriefing and, if needed, arrange psychological services for those staff involved.
2. The Facility SCS will review and revise the related policy and procedures based on the debriefing as needed.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1C-01(M); 1C-02(M); 1C-03(M)

3. Two weeks following the incident the Facility SCS will conduct a follow-up debriefing and, if needed, arrange psychological services for those staff involved.
4. The Facility SCS will review and revise the related policy and procedures based on the two week follow-up debriefing as needed.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1C-01(M)

## C2-11 CRIMINAL ACTIONS

### POLICY

OJS Detention Facility staff have procedures for preserving and monitoring potential crime scenes in facilities or on the grounds if inmates are involved, in order to protect the area from possible contamination prior to the investigation of the crime. Detention Facility staff will control disturbances and riots quickly with the necessary amount of force to ensure the safety of staff, visitors, inmate and the community and to ensure the security of the Detention Facility.

The Detention Facility has an established plan for processing mass arrests to maintain security and safety in the facility while processing arrestees in an efficient manner. The Detention Facility staff will refer alleged crimes to the local law enforcement authority to provide thorough investigation of all criminal violations and the prosecution of all criminal acts. Staff will suppress hostage situations as quickly as possible with the necessary amount of force and without releasing any inmate from custody in order to ensure the safety of staff, visitors, inmates, and the community.

### RULES AND PROCEDURES

#### C2-11-01 CRIME SCENES

##### A. Crime Scenes

(b) (7)(E)



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1C-01(M)

(b) (7)(E)



B. Crime Scene - Serious Crime

(b) (7)(E)



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1C-01(M)

(b) (7)(E)

## C2-11-02 CRIMINAL VIOLATIONS

(b) (7)(E)

### B. Detention Officer Duties and Responsibilities at Crime Scene

1. Separate inmates
2. Provide medical attention when needed. Document refusal of medical attention in shift log.
3. Have inmate(s) sign medical refusal form if medical attention is refused.
4. Maintain a secure perimeter until the crime scene investigation is complete.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1C-01(M)

## C2-11-03 DISTURBANCES AND RIOTS

### A. Disturbances

(b) (7)(E)



### B. Disturbance / Riot

(b) (7)(E)





Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1C-01(M)

(b) (7)(E)



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1C-01(M)

(b) (7)(E)

### C. External Disturbances

(b) (7)(E)

## C2-11-04 HOSTAGE SITUATIONS

### Hostage Plan

(b) (7)(E)

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1C-01(M)

(b) (7)(E)



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1C-01(M)

(b) (7)(E)



## C2-11-05 MASS ARRESTS-CIVIL DISTURBANCES

### A. Notification

(b) (7)(E)



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1C-01(M)

(b) (7)(E)

B. Processing

(b) (7)(E)

C. Housing

(b) (7)(E)

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1C-01(M)

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Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## C2-12 INMATE ESCAPES

### POLICY

The Office of Justice Services will provide timely notification to all applicable parties when an inmate escapes from a BIA detention facility.

### RULES AND REGULATIONS

#### C2-12-01 GENERAL

- A. The Facility SCS is responsible for ensuring escape notifications are made in a timely manner.
- B. An escape is an unauthorized absence during any period of the inmate's incarceration, from a secure or non-secure detention facility, or during escort or transport outside the facility.
- C. When an escapee is returned to the detention facility, he/she will be re-booked, including an additional charge of escape.

#### C2-12-02 NOTIFICATIONS

##### A. Notification of BIA-OJS Officials

(b) (1) (A)

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##### B. Notification of Federal Officials

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Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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C. Notification of Court Having Jurisdiction

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D. Notification of Local, County, State and Indian Country Law Enforcement

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(b) (7)(E)



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-06(M)

## C2-13 INFECTIOUS DISEASE PROGRAM

### POLICY

To protect the health of inmates and staff as individuals and as a group, the Facility Supervisory Correctional Specialist will meet with the facility health care provider in consultation with local public health officials to develop a written protocol to control the spread of infectious disease and ensure procedures to control the spread of infectious diseases are in place and are followed.

### RULES AND REGULATIONS

#### C2-13-01 GENERAL

- A. Communicable diseases, such as tuberculosis, human immunodeficiency virus (HIV) infection, viral hepatitis, Methicillin Resistant Staphyococcal Aureus (MRSA) infection, and influenza will be managed in accordance with a written protocol.
- B. The protocol will include provisions for the screening, surveillance, treatment, containment, and reporting of infectious diseases.
- C. Infection control measures will include the availability of personal protective equipment for staff and hand hygiene promotion throughout the facility.
- D. Procedures for handling bio hazardous waste and decontaminating medical and dental equipment must comply with applicable federal, state, and tribal regulations.
- E. Treatment of inmates with contagious diseases may include isolation, education regarding disease control, and testing. A health care provider will perform tests only in accordance with prescribed criteria, with informed consent, and provide access to pre and post-test counseling (if available). The manner of testing and results will be kept confidential.
- F. This Facility SCS will consult with health care provider(s) to develop and provide education to identify and assess infectious diseases and related health risks and implement practices and procedures which reduce disease incidence, prevalence, and their continued health risk.
- G. The Facility SCS will utilize local resources to make necessary arrangements to review and update immunizations for inmates and staff.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-06(M)

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1A-01(M); 1C-04; 1C-05(M); 1C-09

## C2-14 FIRE SAFETY, FACILITY SECURITY, AND SANITATION

### POLICY

The Office of Justice Services will ensure that fire and emergency safety procedures and training are conducted within each facility. Detention Staff will conduct security inspections to maintain safety standards and to identify security and maintenance problems.

The Office of Justice Services has adopted and subscribes to the National Fire Protection Association Codes and Standards, most current edition. All facilities conform to applicable federal, state, and/or tribal safety codes.

### RULES AND REGULATIONS

#### C2-14-01 GENERAL

- A. Fire and emergency safety procedures and training will focus on ensuring staff is aware of their responsibilities and training required. Inspections will focus on ensuring the facility and equipment is operable, secure, and safe. Inspections will be conducted, documented, and submitted as required. Identified fire safety and security concerns will be appropriately addressed and corrected.
- B. Use of padlocks for security locks on cell or inmate housing doors is prohibited.
- C. Facilities are equipped with separate containers for combustible refuse at accessible locations throughout living quarters in the facility. Special containers are provided for flammable liquids and for rags used with flammable liquids. All receptacles and containers will be emptied and cleaned daily.

#### C2-14-02 TRAINING

All staff shall be trained in fire prevention procedures during initial orientation to the facility. Training will include but not be limited to the following, and will be accomplished during initial orientation and on an annual basis thereafter:

- 1. Proper storage of combustible materials.
- 2. Preventing and detecting hazardous electrical situations.
- 3. Conducting training for inmates in fire safety procedures.
- 4. Conducting fire drills.
- 5. Reporting fire hazards to supervisory staff.
- 6. Conducting regular inspections of fire fighting and fire detection equipment.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:


BIA ADF-1A-01(M); 1C-04; 1C-05(M); 1C-09

7. Use of fire fighting and fire detection equipment.
8. Notifying local fire department and law enforcement of a fire within the facility.
9. Evacuation procedures.
10. How to reset and silence alarm systems.
11. Review of Fire and Emergency Safety procedures/policy.

#### C2-14-03 STAFF INSPECTIONS

- A. All staff members will inspect their assigned areas each shift and check for faulty, unsafe, and unsanitary conditions, for damaged equipment, and for damage to the building.
- B. Any staff member who finds poor conditions and cannot correct the problem will verbally contact the On Duty Supervisor and advise him/her of the situation. The On Duty Supervisor will investigate and determine if immediate action is necessary.
- C. The staff member will document the problem and the action taken in the Post Log.

#### C2-14-04 SUPERVISOR DUTIES AND RESPONSIBILITIES

- A. (b) (7)(E)  

- B. The On Duty Supervisor will record the inspection and conditions on the Inspection Form and in the Shift Report.
- C. For problems that do not pose a threat to safety or security, the On Duty Supervisor will complete a Work Order.
- D. In cases where the problem is an immediate compromise to the safety and security of the Detention Facility and/or its occupants, the On Duty Supervisor will immediately complete a work order and contact the Building Maintenance Technician to make arrangements for immediate repair of the problem.
- E. The On Duty Supervisor will forward the Inspection Form to the Law Enforcement Assistant.
- F. The Law Enforcement Assistant will store each Inspection Form in a file for a period of one year for the purpose of tracking on-going problems.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1A-01(M); 1C-04; 1C-05(M); 1C-09

## C2-14-05 WEEKLY SECURITY TEAM INSPECTIONS

- A. (b) (7)(E)
- B. The Security Inspection Team will document the inspection and conditions on the Inspection Form and in the Shift Report.
- C. During the inspections, the Security Inspection Team will operate equipment to make sure it functions properly.
- D. For all facility problems, a Work Order will be completed.
- E. All Work Orders will be given to the Maintenance Mechanic at the end of the inspection.
- F. In cases where the problem is an immediate compromise to the safety and security of the Detention Facility and/or its occupants, the Maintenance Mechanic will immediately make arrangements for repair of the item.
- G. The Security Inspection Team will forward the Inspection Form to the Facility SCS.
- H. The Facility SCS will store the Security Inspection Form in a file for a period of one year for the purpose of tracking on-going problems.

## C2-14-06 INSPECTIONS OF EQUIPMENT AND SYSTEMS

The Facility SCS shall ensure regular inspections are conducted of firefighting and fire detection equipment to ensure all equipment and systems are operable, based on the following:

1. The facility will undergo a comprehensive and thorough inspection for compliance with safety and fire prevention standards by a qualified fire and safety officer yearly, or as required by law, which will include testing of fire safety equipment and review of the fire emergency plans/procedures, etc. A copy of this inspection will be kept on file at the facility. After the required inspection is completed, arrangements will be made to correct all deficiencies noted in the inspector's report. Once all deficiencies have been corrected, the Facility SCS shall notify the inspector that the corrections have been made and a follow-up inspection shall be conducted.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1A-01(M); 1C-04; 1C-05(M); 1C-09

2. All fire detection and suppression equipment shall be tested bi-annually or in accordance with the authority (fire protection service) having jurisdiction or agreement to inspect the facility, by a qualified fire and safety officer.
3. Fire extinguishers will be checked per manufacturer's criteria and no less frequently than weekly.
4. Weekly fire safety and security inspections will be conducted.

#### C2-14-07 WEEKLY FIRE SAFETY AND SECURITY INSPECTIONS:

The below procedures outline the requirements for fire safety and security inspections:

1. An assigned/designated officer will complete a weekly fire and security inspection on the day and time designated by the Facility SCS and document the results on the "Weekly Fire Safety and Security Inspection Checklist" (Appendix A).
2. A copy of the inspection checklist will be maintained in the Central Control Room or designated area, so assigned/designated officers on the second and third shift can review and be aware of the findings.
3. The officer conducting the inspection will tour the facility and complete the Weekly Fire Safety Security Inspection Checklist. The form will be completed in its' entirety, taking care to answer all questions and to check each area of the facility listed on the form thoroughly.
4. If a physical plant problem is discovered which requires immediate attention or poses a serious fire safety or security problem to the facility or its inmates, the officer conducting the inspection will contact the supervisor in charge immediately. The supervisor will contact a maintenance mechanic.
5. If necessary and appropriate, a Facility Incident Report detailing the problem and the action taken will be completed, and a Work Order or Emergency Work Order will also be completed. A copy will be kept and attached to the Weekly Checklist.
6. The completed Weekly Fire Safety Security Inspection Checklist and any Work Orders will be forwarded to the Facility SCS who will review, sign and date them, and forward any Work Orders for action. A copy of these reports will be kept on site, and a copy will be to be forwarded to the District SCS.
7. The on-duty supervisor or designee will ensure any important physical plant issues are reported to the supervisor of the relieving shift.
8. The Facility SCS will ensure that work orders for any necessary repairs are initiated.
9. Additional fire safety and security questions may be added to the existing checklist, to address unique fire or security issues at individual facilities, but the form format and existing questions may not be altered/changed.
10. The Daily Fire Safety and Security Checklist shall be maintained for one year.



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1A-01(M); 1C-04; 1C-05(M); 1C-09

## C2-14-08 FIRE AND EMERGENCY SAFETY

The Facility SCS will ensure the following fire and emergency prevention procedures are followed. The list is not all encompassing:

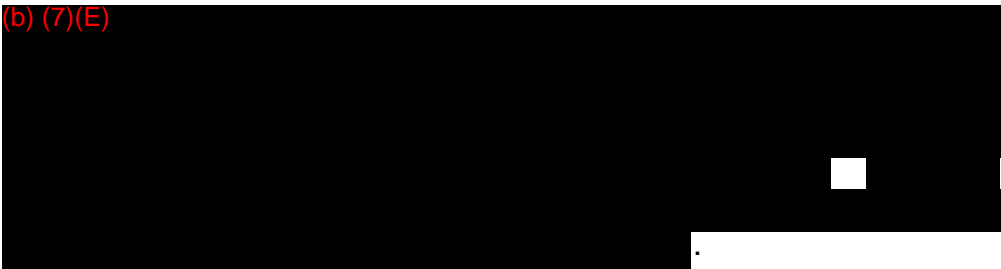
1. All fire safety codes are adhered to.
2. Exits throughout the jail will be kept clear and maintained in usable condition. Inclement weather requires more frequent inspections.
3. One fire drill per shift, per quarter will be conducted during the calendar year.
4. All maintenance of fire detection equipment, fire prevention equipment, fire drills, and staff training will be documented and made a part of permanent facility records.
5. Fire extinguishers will not be removed from their original location except in the event of a fire, a potential fire or for maintenance or repair.
6. When staff uses a fire extinguisher they will advise the shift supervisor, who will advise the Facility SCS that a fully charged replacement is needed.
7. Ensuring daily fire safety and security inspections are accomplished.
8. Reviewing, signing, and dating all inspection reports.
9. Ensuring all fire and security concerns are addressed. All work orders generated from inspections will be submitted to OFMC, and tracked, to ensure required work needing to be completed is accomplished in a timely manner. The District SCS will be notified when corrective action is not accomplished on time for management follow-up.
10. A tour of the facility is conducted on a daily basis, which will be documented on an inspection checklist, or a daily activity log.

## C2-14-09 REPORTING A FIRE

A. The following procedures will be followed when any staff member discovers a fire. Fires of an unknown nature will be considered major fires until otherwise determined.

1. Major fire
  - a. Immediately notify the control room, dispatch, or another staff member and request the fire department be called to the facility, and indicate the area of the fire.

b. (b) (7)(E)



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1A-01(M); 1C-04; 1C-05(M); 1C-09

- c. If the seriousness of the fire constitutes a clear and present threat to the lives and safety of inmates and personnel within the facility, (b) (7) (E) [REDACTED] Each facility will have an evacuation plan.
  - d. Once the fire is extinguished, the Facility SCS will request that the fire department conduct an investigation.
  - e. If safe and cleared by the fire department, all inmates will be returned and secured within the facility.
  - f. The chain of command shall be notified, and when time permits a SIR will be generated.
2. Minor Fire
- a. Immediately notify the control room, dispatch, or another staff member and indicate the area of the fire.
  - b. (b) (7)(E) [REDACTED]
  - c. Obtain appropriate fire suppression equipment and extinguish the fire. If the fire begins to get out of control contact the local fire department.
  - d. (b) (7)(E) [REDACTED]
  - e. Upon extinguishing the fire any one previously notified will be notified the fire has been extinguished.
  - f. If it is suspected that the fire has been deliberately set, the scene shall be protected until an investigation can be conducted, and a SIR will be completed.
  - g. After the fire has been extinguished, any means that can safely be utilized to clear smoke from the facility will be utilized, if necessary.
  - h. Staff shall notify the fire department of the minor fire occurring and adhere to any recommendations made by fire fighting personnel.

B. Evacuation Plans will include, at a minimum, the following:

1. Location of alternate evacuation area(s).
2. Security requirements.
3. Arranging for Transportation.
4. Arranging for return to the facility.
5. Contingency plan (b) (7)(E) [REDACTED]

C2-14-10 FIRE WATCH

- A. The following information is provided as a general, minimum listing of duties, responsibilities, training requirements, and miscellaneous procedures deemed necessary to implement a successful fire watch program.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1A-01(M); 1C-04; 1C-05(M); 1C-09

- B. A fire watch is necessary when any emergency fire suppressant system, i.e. fire alarms, sprinkler systems, become inoperable. These minimum parameters should be applied to all locations as the need arises. It should be realized that each situation must be judged on its particular conditions, and more safe guards than are presented herein might be needed.
- C. When a fire watch is used to compensate for conditions noncompliant with safety codes and for other situations which adversely affect occupant safety, the particulars of the fire watch must be approved by the Chief, Division of Safety and Risk Management or his designated representative (usually the applicable Regional Safety Manager).
- D. The National Fire Protection Association, in NFPA Code 1, 3.3.10, defines a "Fire Watcher" as a person assigned to be in an area for the express purpose of notifying the fire department of an emergency, preventing a fire from occurring, extinguishing small fires, or protecting the public from fire or life safety dangers.
- E. Once a fire watch is initiated, it will remain in place until the reason for initiation has been resolved and corrected.

#### C2-14-11 MINIMUM "FIRE WATCH" CRITERIA:

- A. The Facility SCS bears the responsibility for ensuring any assigned fire watcher under his/her supervision is trained, qualified, (b) (7)(E) [REDACTED]
- B. A means to assure and document that all assigned building areas are observed by fire watchers within specified time periods must be established. The SCS will ensure the daily activity log reflects any fire watch activities.
- C. An assigned staff member must conduct a daily evaluation, to assure the last shift's fire watchers properly performed their rounds. This person must document his/her findings on the daily activity log. If any fire safety concerns are noted, to assure the safety of building occupants, to the extent possible they must be corrected before the next fire watch shift.
- D. The following list, although not all inclusive, identifies some items that, if not in place, would negate the success of a "fire watch" in providing reasonable safety to building occupants.
  - 1. Each facility must have a working, documented emergency action plan involving:
    - a. (b) (7)(E) [REDACTED]
    - b. Procedures to account for all persons in the facility after evacuation.
    - c. The preferred means of reporting fires and other emergencies to occupants and to emergency forces.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1A-01(M); 1C-04; 1C-05(M); 1C-09

- d. (b) (7)(E)
  - e. Designating and training a sufficient number of persons to assist in the safe and orderly emergency evacuation.
  - f. If portable fire extinguishers are indicated to be used to control small fires, the personnel responsible must be designated and trained in their use.
2. Emergency life safety equipment, e.g., fire alarm, exit lighting, emergency lighting, and other appurtenances such as fire doors must be maintained in working order. If a fire watch is initiated due to such equipment being disabled, all other unaffected life safety equipment must be operable.

## C2-14-12 SAFETY AND SANITATION

### A. Health and Safety Inspection

In compliance with 29 CFR Part 1960 Subparts B through D, the facility shall receive at least one inspection each year by a qualified safety and health inspector and Environmental Health Specialist and/or Sanitarian. Any request for inspection shall be directed to the Area Safety Manager or Officer through the Agency Superintendent.

### B. Sanitation Plan

The Facility SCS, in cooperation with the BIA or tribal maintenance program, shall develop a written housekeeping plan for all areas of the physical plant. The SCS shall update the plan as needed and review it at least annually. The plan shall provide for daily housekeeping and regular maintenance by assigning specific duties to staff, inmates and BIA or tribal Facility Maintenance. The plan shall require:

1. facility floors be kept clean, dry and free of hazardous substances;
2. a qualified person conduct monthly inspections to control vermin and pests;
3. solid and liquid wastes be disposed of properly;
4. clean, suitable and presentable clothing, bedding, linens and towels be issued to new inmates and exchanged on at least a weekly basis;
5. necessary cleaning and storage of inmate personal clothing be provided;
6. articles needed for personal hygiene be furnished; and
7. sufficient facilities are in the housing areas to permit inmates to shower or bathe on admission to the facility and daily thereafter.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1A-01(M); 1C-04; 1C-05(M); 1C-09

### C. Weekly and Monthly Inspection

Weekly inspections are conducted by the Fire and Safety Officer. Monthly inspections, using the same criteria, are conducted by the Fire and Safety Officer and the Facility SCS. The Facility SCS will complete the monthly inspection and forward a copy to the District SCS, with any recommended actions being noted. When repairs are required, the FSCS will inspect and document the completion of the repairs, forwarding a copy to the DSCS.

1. The BIA representative, IHS representative, or tribal public safety will train the Fire and Safety Officers to conduct weekly safety and sanitation inspections throughout the facility.
2. The trained Fire and Safety Officer will obtain a copy of the Inspection-Common Areas, Inspection-Men's Housing, and Inspection-Women's Housing.
3. The trained Fire and Safety Officer will perform a weekly safety and sanitation inspection of all areas. This weekly inspection provides that:
  - a. all areas be clean and orderly,
  - b. no safety or health hazards exist,
  - c. all plumbing equipment, including toilet, showers, sinks, and laundry facilities operate properly,
  - d. all exterior grounds, including along the roadway, are free of trash and debris, and
  - e. waste disposal receptacles in the Housing Units, Food Service area, Classrooms and Admission are clean, undamaged, and have lids securely attached.
4. The Fire and Safety Officer will complete Inspection - Common Areas, Inspection - Men's Housing, and Inspection - Women's Housing, documenting any areas requiring corrective action and forward a copy of the inspections forms to the Facility SCS for his/her review upon completion of the inspection.
5. The Facility SCS will review the Inspections and, when corrective action is required, will approve the recommended action, and return the Inspections to the Fire and Safety Officer for action.
6. The Facility SCS will forward a copy to each On Duty Supervisor for review and corrective action.
7. If necessary, the Fire and Safety Officer will complete a Work Order and forward the Work Order to the maintenance staff for action.
8. Maintenance staff will perform the corrective action, document the action on the Work Order, sign and date the order, and forward the order to the Facility SCS.
9. The Fire and Safety Officer will inspect the repair, document the completion of the repair on the Work Order, forward a copy of the order to the Facility SCS, and file the original.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1A-01(M); 1C-04; 1C-05(M); 1C-09

10. If the issue involves a sanitation discrepancy, the Facility SCS will determine the appropriate corrective action and times allowed for correction and assign the On Duty Supervisors to correct the discrepancy within the designated time.

#### D. Annual Inspection – IHS Sanitation

1. The Facility SCS will contact Indian Health Services and schedule an annual sanitation inspection.
2. The Indian Health Services representative, along with the Facility SCS and Fire and Safety Officer, will perform an annual sanitation inspection of all areas to document compliance with all applicable federal, state, and local sanitation and health codes.
3. The Indian Health Service representative will complete an I.H.S. Inspection Report, documenting any areas requiring corrective action, provide a copy of the report to the Facility SCS, and request that he/she take the necessary action.
4. When corrective action is required, the Facility SCS will approve the corrective action on the report and initiate corrective action.
5. If necessary, the Facility SCS will complete a Work Order and forward the order to the maintenance staff for action or direct the On Duty Supervisor to make the changes, unless there are safety concerns.
6. The On Duty Supervisor will make repairs that they can make, document the action on the Work Order, sign, and date the order, and forward the completed order to the Facility SCS.
7. Maintenance staff will perform the corrective action, document the action on the Work Order, sign and date the order, and forward the completed Work Order to the Facility SCS.
8. The Facility SCS will inspect the repair, document the completion of the repair on the Work Order, forward a copy of the Work Order to the District SCS, and the IHS representative who conducted the inspection, and file the original.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1A-01(M); 1C-04; 1C-05(M); 1C-09

#### E. Annual Inspection – BIA Safety

1. The Facility SCS will contact the Area BIA Safety Officer and schedule an annual safety inspection.
2. The Area BIA Safety Officer, along with the Facility SCS, and Fire and Safety Officer, will perform an annual safety inspection of all areas to document compliance with all applicable federal, state, and local safety codes.
3. The Regional BIA Safety Officer will complete a BIA Inspection Report, documenting any areas requiring corrective action, provide a copy of the report to the Facility SCS, and request that corrective action be taken, if necessary.
4. When corrective action is required, the Facility SCS will approve the corrective action on the report and initiate corrective action.
5. If necessary, the Facility SCS will complete a Work Order and forward the order to the Maintenance Staff for action or direct the On Duty Supervisor to make the changes.
6. The On Duty Supervisor will make repairs that he can make, unless there are safety concerns, document the action on the Work Order, sign and date the order, and forward the completed Work Order to the Facility SCS.
7. Maintenance staff will perform the corrective action, document the action on the Work Order, sign, and dates the Work Order, and forward the completed Work Order to the Facility SCS.
8. The Facility SCS will inspect the repair, document the completion of the repair on the completed Work Order, forward a copy of the order to the District Corrections SCS and the Area BIA Safety Officer who conducted the inspection, and file the original.

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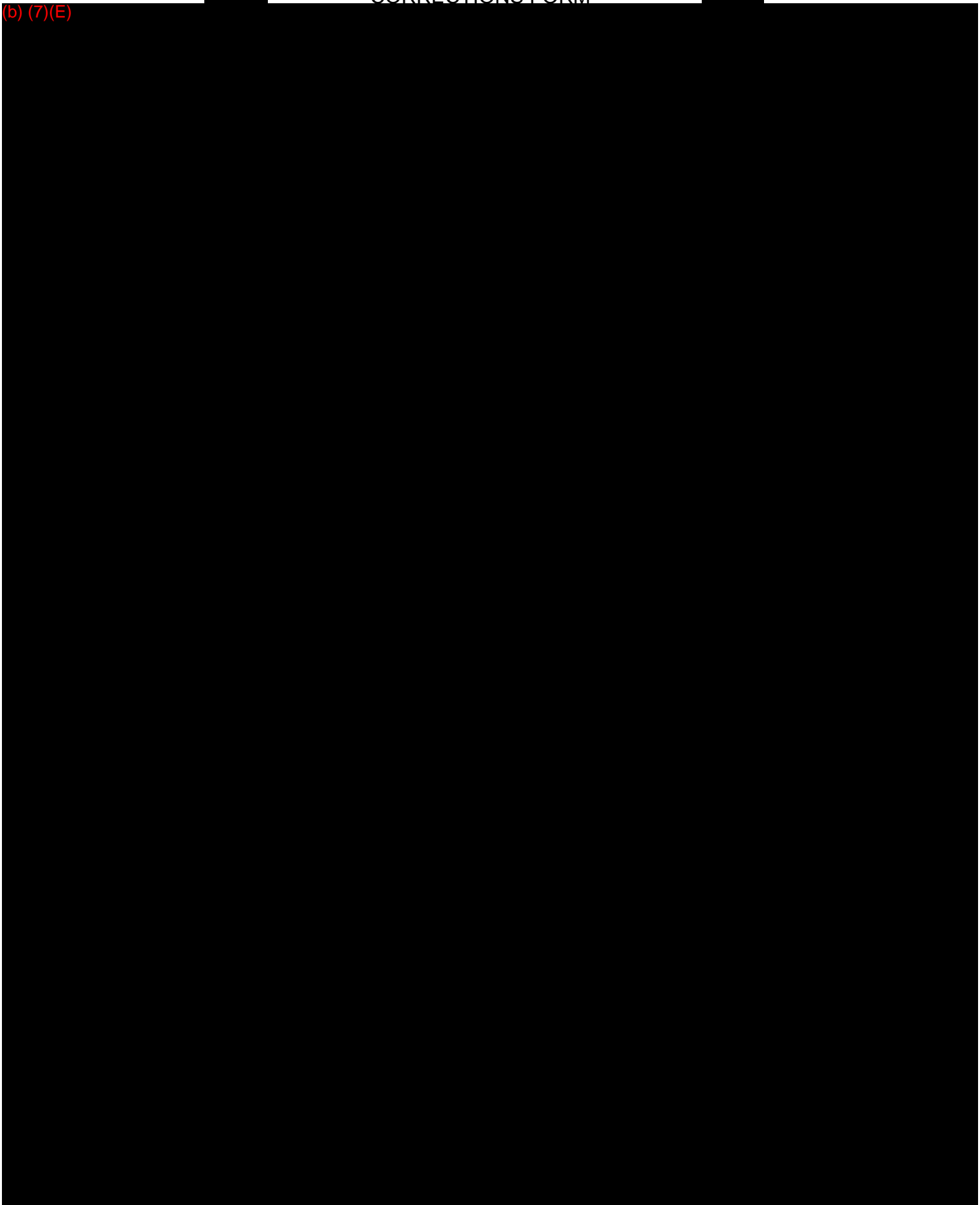
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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4D-05(M)

## C2-15 FIRST AID KITS-EMERGENCY DEFIBRILLATOR

### POLICY

OJS corrections facilities will have basic first aid equipment located in the facility, readily available for use by detention staff at all times.

### RULES AND REGULATIONS

#### C2-15-01 GENERAL

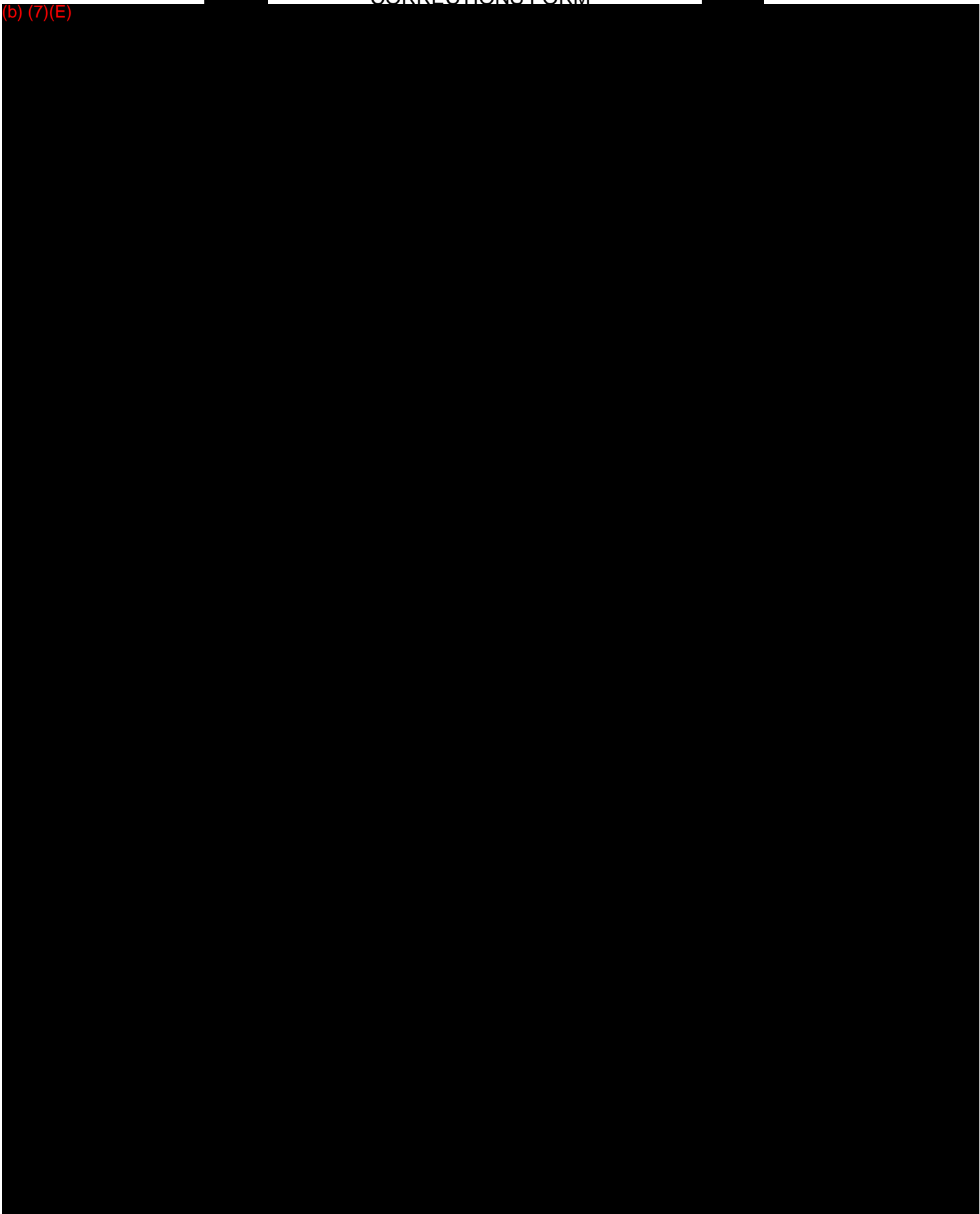
- A. The Facility SCS, along with the health care professional, is responsible for determining the number and location for first aid kits in the facility and will ensure that only first aid kits that have been approved by a health care provider are placed in key areas of the facility. The kits shall include equipment for clean up of blood-borne pathogens and decontamination solution.
- B. Each Facility will have at least one emergency defibrillator available at all times. Staff will be trained on the proper use of the device.

#### C2-15-02 PLACEMENT, MONTHLY INSPECTION, AND INVENTORY OF FIRST AID KITS AND SUICIDE RESCUE TOOL

- A. The Facility SCS in coordination with a health care provider will determine the contents and placement of the first aid kits and suicide rescue tools. Generally first aid kits and suicide rescue tools will be located in areas only accessible to staff.
- B. Once a month or more often as determined by use, the Facility SCS will ensure the kits are cleaned, replenished, and expiration dates on all products are current and not expired. All items on the inventory list will be reviewed and checked against the actual contents. This will be documented on the First Aid Kit Log (See Appendix A). Suicide rescue tools will be checked and accounted for.
- C. Annually, the Facility SCS shall ensure an evaluation is completed to review the location and contents of kits to determine if additions, deletions, or relocations are needed. Ideally this should be completed with the assistance of the health care provider.

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4D-06; 4D-17(M);

## C2-16 RESPONSE TO ILLNESS, INJURY, OR DEATH

### POLICY

All corrections staff is committed to providing immediate response to inmates suffering illness or injury. In every case of a life threatening situation, staff will respond immediately and initiate all available rescue options.

The health authority will approve policies and procedures for identifying and evaluating major risk-management events related to inmate health care, including inmate deaths, preventable adverse outcomes, and serious medication errors.

### RULES AND REGULATIONS

#### C2-16-01 GENERAL

- A. For the purpose of this policy, the on duty supervisor is the Facility SCS, SCO, or officer-in-charge during the shift.

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#### C2-16-02 RESPONSE TO MILD OR MODERATE INJURY

When a staff member is advised of or discovers an inmate with a mild or moderate injury, he/she will notify the on-duty supervisor, another staff member, and administer first aid, when indicated.

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4. The staff member will obtain the nearest first aid kit and render first aid.

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6. The staff member will return the first aid kit to the appropriate storage location and secure it (see First Aid directive).

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8. Once medical treatment is rendered, the escorting/transporting officer will ensure any medical instructions are obtained for continued treatment or follow-up medical treatment.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4D-06; 4D-17(M);

9. If medical personnel determine that the inmate must be admitted to the hospital, the escorting/transporting officer will notify the on-duty supervisor.
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11. (b) (7)(E)
12. The escort/transport officer will forward written instructions for follow-up treatment to the on-duty supervisor who will place the written instructions in the inmate's medical file and ensure that the required treatment and follow-up care is provided.
13. The staff member discovering the injured inmate will complete a Serious Incident Report (SIR), in accordance with policy.
14. The staff member will complete a Facility Incident Report describing the injury and the first aid which was administered. He/she will also indicate the contents of the first aid kit, if any, that require replacement.
15. The staff member will ensure a copy of the Facility Incident Report is placed in the inmate's medical file.

## C2-16-03 RESPONSE TO A MEDICAL EMERGENCY

Response to a medical emergency will be as follows:

1. When a staff member is advised of or discovers a medical emergency situation, he/she will immediately notify the on-duty supervisor and then initiate first aid and CPR, if needed.
2. The on-duty supervisor will respond and assess the situation and then take control of the situation.
3. If the on-duty supervisor confirms that a medical emergency exists, the on-duty supervisor or any staff member will immediately call for emergency medical services and an ambulance and alert central control to have an officer at the entry to be used by EMS and the ambulance, while the staff member continues first aid or CPR, if needed.
4. The ambulance personnel and EMS will administer the necessary care and then transport the inmate to the designated health care facility.
5. The on-duty supervisor will assign an escort/transport officer to accompany the inmate in the ambulance. If deemed appropriate, the on-duty supervisor will assign a second officer to follow the ambulance to the health care facility.
6. If the medical personnel determine that the inmate must be admitted to the hospital, the escort/transport officer will notify the on-duty supervisor.
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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4D-06; 4D-17(M);

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9. The escort/transport officer will forward the written instructions for follow-up treatment to the on-duty supervisor who will place the written instructions in the inmate's medical file and ensure that the required treatment and follow-up care is provided.
10. The staff member discovering the injured inmate will complete a Serious Incident Report (SIR) and a Facility Incident Report, in accordance with policy.
11. The staff member will ensure a copy of the Facility Incident Report is placed in the inmate's medical file.

#### C2-16-04 RESPONSE TO HANGING OR ASPHYXIATION

Response when an inmate is found hanging or is not breathing due to asphyxiation:

1. When a staff member is advised of or discovers a medical emergency involving an attempted hanging/asphyxiation, he/she will immediately notify another staff member for assistance, and central control, and staff will call for EMS and an ambulance.
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3. (b) (7)(E)
4. First Aid (open airway) and CPR, if required, should immediately be provided.
5. Refer to number 4 through 11 in RESPONSE TO A MEDICAL EMERGENCY above.

#### C2-16-05 RESPONSE TO DEATH

In the event of an inmate death in the facility, the following actions will be taken.

1. A staff member discovering a possibly deceased inmate will immediately notify the on-duty supervisor request emergency medical assistance, and initiate appropriate emergency life-saving measures.
2. When an authorized emergency medical or health care provider makes the determination that the inmate is deceased, the on-duty supervisor will not move the body and will preserve the scene until removal is directed by the official who acts as coroner for the jurisdiction.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4D-06; 4D-17(M);

3. Staff who discovered the body will:
  - a. Isolate and preserve the scene and evidence, including a suicide note, if applicable. All measures necessary to preserve and document the evidence needed to support subsequent investigations will be maintained or otherwise recorded adequately. In the event of a suicide, institution staff, particularly detention staff, and other law enforcement personnel, will handle the site with the same level of protection as any crime scene in which a death has occurred.
  - b. Separate all suspects and witnesses.
  - c. Secure instruments and/or materials used to affect death, remembering that they may be evidence.
  - d. The on-duty supervisor will contact the Facility SCS who in turn, will contact the District SCS. Further notifications will be accomplished in adherence with "Serious Incident Reporting".
  - e. The Facility SCS will ensure notifications of all applicable law enforcement authorities are made. The District SCS will ensure notification is made to the Chief of Corrections and the Directorate of Professional Standards.

#### C2-16-06 DOCUMENTATION

Immediately upon the death of an inmate, the facility SCS must assemble the below listed information concerning the deceased inmate. The SCS will cooperate with law enforcement to make all necessary documents available to the criminal investigator.

1. Inmate identification information
2. Tribal affiliation
3. Offense and sentence length
4. Date, time, and location of death
5. Name, address, and phone number of survivor or designee
6. Notifications made

#### C2-16-07 NOTIFICATION OF INDIVIDUALS REGARDING INMATE SERIOUS ILLNESS, INJURY, OR DEATH

- A. As soon as practical, the Facility SCS must telephonically contact the next of kin or individual the inmate identified as an emergency contact during intake/booking, regarding any serious illness, injury, or death of the inmate.
- B. No other individual(s), other than Detention, Court, Law Enforcement, etc. personnel, shall be notified, unless the inmate signs a release of information for a specific person or persons. This contact will be noted in the inmates file, and on the daily activity log.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4D-06; 4D-17(M);

## C2-16-08 ADDITIONAL NOTIFICATIONS

The below notifications shall be made.

1. All parties noted in the "Serious Incident Reporting" policy. Reporting by telephone should be accomplished immediately.
2. The Chief of Corrections will notify the Directorate of Professional Standards.
3. The Facility SCS will ensure telephone contact is made to the next of kin or individual the inmate identified as an emergency contact during intake/booking. If no emergency contact was named, the Facility SCS will ensure an attempt is made to locate and notify a next-of-kin, so the deceased's personal property and clothing can be turned over to them, once it has been determined that they are not needed for the investigation.
4. The Tribal President and the Court of Record.

## C2-16-09 STAFF DEBRIEFING

REFER TO C1-09-06 AND 08.

## C2-16-10 AFTER ACTION REPORT

- A. Once an inmate death is determined to be a suicide, the Facility SCS will initiate An After Action Report.
- B. The Chief of Corrections will authorize an after-action review of the suicide, to be conducted by an appropriate staff member. The findings will be documented in an After Action report. The report will address what policies were followed, what policies were not followed, what policies didn't work, etc.  
The Facility SCS will forward a copy to the Tribal Court, that has jurisdiction over the inmate, if applicable.

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4D-13; 4D-14; 4D-15; 4D-16(M)

## C2-17 SEXUAL ASSAULT PREVENTION & INTERVENTION

### POLICY

It is the policy of the Office of Justice Services to respond properly and appropriately to sexual abuse and assaults involving detention facility inmates. To provide guidelines to help prevent sexual assaults on inmates, to address the safety and treatment needs of inmates, who have been sexually assaulted, and to discipline and prosecute those who sexually assault inmates.

All detention personnel will be familiar with the provisions set forth in the Prison Rape Elimination Act of 2003, Public Law 108-79 and ensure that applicable requirements in this law are complied with.

### DEFINITIONS

#### A. Inmate-on-Inmate Sexual Abuse/Assault

One or more inmates engaging in, or attempting to engage in a sexual act with another inmate or the use of threats, intimidation, inappropriate touching, or other actions and/or communications by one or more inmates aimed at coercing and/or pressuring another inmate to engage in a sexual act, such as the intentional touching of an inmate's genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, humiliate, harass, degrade, arouse, or gratify the sexual desire of any person. Sexual acts or contacts between inmates, even when no objections are raised, are prohibited acts and may be criminal as well.

#### B. Staff-on-Inmate Sexual Abuse/Assault

Engaging in, or attempting to engage in a sexual act with any inmate or the intentional touching of an inmate's genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, humiliate, harass, degrade, arouse, or gratify the sexual desire of any person. Sexual acts or contacts between an inmate and a staff member, including volunteers or contract personnel, even when no objections are raised, are always illegal and will result in criminal charges and prosecution. Refer to Title 18 USC 2243, Sexual Abuse of a Minor or Ward.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4D-13; 4D-14; 4D-15; 4D-16(M)

## RULES AND REGULATIONS

### C2-17-01 GENERAL

- A. Research indicates that a small percentage of individuals express aggression and seek to dominate others through violent sexual behavior. Forceful and pressured sexual interactions are among the most serious threats to inmate safety and institutional order. Victims may suffer physical and psychological harm, and could be infected with a life-threatening disease.
- B. The Facility will ensure that the sexual abuse assault prevention program is in place and inmates are aware of the program. For the purpose of this policy, the on duty supervisor is the Facility SCS, SCO, or officer-in-charge during the shift. The program will include:
  1. prevention,
  2. prompt and effective intervention to address the safety and treatment needs of inmate victims if an assault occurs, and
  3. investigation, discipline, and prosecution of assailant(s).

### C2-17-02 PREVENTION

- A. All staff and inmates are responsible for being alert to signs of potential situations in which sexual assaults might occur.
- B. Screening and Classification
  1. All inmates entering the facility will be screened. When an inmate reports having been a victim of sexual abuse/assault and expresses a willingness to participate in treatment, staff shall refer the inmate to an appropriate mental health care provider.
  2. Preventing sexual abuse/assault also suggests that staff should attempt to identify sexually assaultive inmates. During intake/booking, care must be taken to identify and document any history of sexually assaultive behavior, i.e., review all available documentation for any indication that an inmate has a history of sexually aggressive behavior.
  3. Inmates exhibiting cross gender tendencies will be separated from other inmates.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4D-13; 4D-14; 4D-15; 4D-16(M)

### C. Staff Training

1. For new employees, a discussion of sexual abuse/assault prevention and intervention shall be part of the Basic Correctional Officer Training Program/Initial Orientation Training and should include a review of the Bureau's sexual abuse/assault policy and staff responsibilities to prevent and report sexual assaults. For existing staff, more extensive information about the program shall be included as a part of the 40 hours In-Service trainings. All staff must sign an Acknowledgement of Training.
  2. All staff shall be trained to:
    - a. recognize the physical, behavioral, and emotional signs of sexual assault;
    - b. understand the identification and referral process when an alleged sexual assault occurs; and
    - c. understand basic sexual assault prevention and response techniques,
    - d. recognize and protect anything that may be of evidentiary value.
- D. Inmate education information shall be provided to each inmate upon their admission to the facility, orally and in writing, in a language clearly understood by the inmate, which provides a brief, candid presentation about the Sexual Abuse/Assault Prevention and Intervention Program, including:
1. prevention/intervention
  2. how inmates can protect themselves from becoming victims while incarcerated,
  3. treatment options available to victims of sexual assault, and
  4. methods of reporting incidents of sexual abuse/assault (including a discussion of filing an Inmate Request Form.
- E. This documentation shall also include information on services and programs (counseling, sex offender treatment) for sexually assaultive or aggressive inmates. A list of services available in the local area will be provided. Inmates will sign, acknowledging receipt of this information.

### C2-17-04 PROMPT AND EFFECTIVE INTERVENTION

- A. Staff sensitivity toward inmates who are victims of sexual abuse/assault is critical. Staff shall take seriously all statements from inmates that they have been victims of sexual assaults and respond supportively and non-judgmentally. Any inmate who alleges that he or she has been sexually assaulted shall be offered immediate protection from the assailant and will be referred for a medical examination as well as a clinical assessment of the potential for suicide or other related symptoms.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4D-13; 4D-14; 4D-15; 4D-16(M)

- B. Using Attachment A as a guide, staff shall provide services to victims and shall contact law enforcement to conduct investigations of sexual abuse/assault incidents. Information concerning the identity of an inmate victim reporting a sexual assault, and the facts of the report itself, shall be limited to those who have a need to know in order to make decisions concerning the inmate-victim's welfare and for law enforcement/investigative purposes.
- C. When a staff member(s) or inmate(s) is alleged to be involved in sexual abuse/assault of an inmate, any staff member becoming aware of this shall immediately notify the Facility SCS during the shift, who will notify the District SCS. The District SCS shall notify the Chief of Corrections. Local Law enforcement and OJS Criminal Investigations will also be notified.
- D. The incident shall then be forwarded to the Directorate of Professional Standards (PSD), who will investigate the incident. The timely reporting of all incidents and allegations is extremely important.
- E. When an assault is reported, the inmate will be provided with immediate access to health care, and a SIR shall be completed.
- F. At a minimum, the following services should be available to all inmates who claim to be the victim of a sexual abuse/assault during their incarceration. These services should be provided in an environment that meets both the inmate's safety and therapeutic needs.
  - 1. Medical. Examination, documentation, evidence collection, and treatment of injuries arising from an alleged sexual assault, including testing for HIV and other Sexually Transmitted Diseases (STD). Baseline tests will be administered.
  - 2. Mental Health Services. Crisis intervention, assessment of treatment needs, documentation of evaluation and treatment needs, psychiatric referral, and/or other treatment options including referral to community mental health resources in his or her release area.
  - 3. Social. Family support and/or peer support should be provided, when available and appropriate, based on inmate choice.
  - 4. Protection. Staff consultation and/or action to prevent further assaults should be considered (e.g. closer supervision, protective custody, transfer, etc.)
- G. All staff is responsible for immediately referring cases of sexual abuse/assault when they become aware of them as noted earlier. All staff is also expected to handle allegations of sexual abuse/assault sensitively and non-judgmentally



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4D-13; 4D-14; 4D-15; 4D-16(M)

## C2-17-05 INVESTIGATION

If an inmate alleges sexual assault, a sensitive and coordinated response is necessary.

1. Appropriate referrals shall be made to PSD.
2. Staff shall ensure the crime scene is preserved and ensure the collection of information/evidence in coordination with the referral agency is consistent with evidence gathering/processing.
3. Detention staff will turn over all information and evidence to the responding law enforcement agency.

## C2-17-06 TRANSFER OF INMATES TO HOSPITALS/OTHER INSTITUTIONS

- A. Unless a facility has health services staff trained or certified in sexual assault evidence gathering, the inmate should either be examined by trained health care professionals from the local community or be transported to a local community facility that is equipped (in accordance with local laws) to evaluate and treat sexual assault victims.
- B. If necessary to sustain life and/or stabilize vital functions, staff shall contact emergency services immediately for inmates seriously injured as a result of a sexual assault.

## C2-17-07 TRACKING SEXUAL ASSAULTS

- A. The major purpose of the Sexual Abuse/Assault Prevention and Intervention Program is to protect inmates in BIA-OJS detention custody. Monitoring and evaluation are essential to assess both sexual assault levels and agency effectiveness in reducing sexually abusive behavior. Accordingly, each facility must maintain two types of files. A monitoring file and an evaluation file will be initiated and appropriately maintained.
- B. PSD may maintain these files, and maintain a current listing of the names of sexual assault victims and assailants along with the dates and locations of all sexual assault incidents occurring within the facilities. At a minimum, each facility will maintain a general sexual assault file.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4D-13; 4D-14; 4D-15; 4D-16(M)

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-13(M)

## C2-18 SUICIDE PREVENTION PROGRAM

### POLICY

The Office of Justice Services is committed to the safe and secure management of suicidal or potentially suicidal inmates in BIA detention facilities.

### RULES AND PROCEDURES

#### C2-18-01 GENERAL INFORMATION

- A. It is the responsibility of all detention staff to monitor the health and welfare of suicidal or potentially suicidal inmates to help preserve life. Accurate and thorough documentation shall be kept, to support that policy, rules, and procedures are adhered to regarding all known suicidal individuals. Each District SCS will ensure that a Suicide Prevention Program is implemented at each facility, as outlined herein.
- B. The Facility SCS shall be responsible for ensuring the Suicide Prevention Program conforms to the guidelines for training, identification, referral, and assessment/intervention as outlined below. The designated Program Coordinator will be responsible for ensuring the program is being carried out. The procedures outlined below are for adult and juvenile offenders.
- C. Program Coordinator  
Each District SCS shall designate in writing, a full-time staff member at each facility to serve as Program Coordinator for the Suicide Prevention Program. This will be considered a collateral duty.
- D. Training  
The District SCS and Facility SCS will ensure that all staff receives training, by a specialized trained instructor, to recognize signs indicative of a potentially suicidal individual, to include screening, referral, and suicide prevention techniques.
- E. While the initial period of incarceration is often a critical time for detecting potential suicides, serious suicidal crises may occur at any time. Detention officers are often the first to identify signs of potential suicidal behavior, based on their frequent interactions with inmates.
- F. The Facility SCS will include discussions of suicide prevention at staff meetings, shift change briefings, etc., to remind staff of the need to constantly observe inmates for signs of suicidal behavior.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-13(M)

## C2-18-02 TRAINING

### A. Staff Training

Initial suicide prevention training will be included in the Basic Correctional Officer Training Program at the Indian Police Academy, Artesia, New Mexico. Training in local suicide prevention procedures will be provided during initial orientation and annually at all facilities. Training for staff will include:

1. Identifying suicide risk factors;
2. Typical inmate profiles of completed suicides;
3. Recognition of potentially suicidal behavior;
4. Appropriate information associated with identifying and referring suicidal inmates;
5. Responding to a suicide emergency (i.e., a suicide in progress);
6. Name and contact information of the Program Coordinator;
7. Location of suicide watch room, etc.

### B. Emergency Response Training

At a minimum, the Facility SCS will ensure mock exercises are accomplished bi-annually which simulate a suicide emergency. The purpose of these exercises is to evaluate response capabilities and demonstrate appropriate emergency response techniques.

## C2-18-03 SUICIDE IDENTIFICATION

### A. Pre-Custody Screening

Arrestees brought to the facilities will be prescreened to determine their health care and mental health status, to determine their appropriateness for booking/admission.

### B. In Custody Screening

All newly admitted inmates will be screened for signs of the potential for suicide (See C2-20, Inmate Intake/Classification). All staff members are responsible for helping to identify inmates exhibiting suicidal tendencies.

### C. In-Custody Screening

During admission/booking, staff will screen newly admitted inmates for signs or risks for suicide; however, suicide screening can be conducted again any time staff become aware of a change in the inmates behavior. There are a number of signs for potentially suicidal inmates, and a careful and thorough intake is a necessity for identifying such inmates. Inmate's that return from Court proceedings should be re-screened carefully to detect any change in behavior that may be a result of a change in legal status. Staff will immediately ensure the Facility SCS is notified of any suicidal or emotionally disturbed inmates.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-13(M)

1. Segregation/Single cell. Inmates transferred into segregation or a single cell will be observed closely for signs of potential suicide (i.e., despondent, crying, emotionally distraught, or making threats of self-harm). The Facility SCS will be notified of inmates exhibiting such signs and the inmate will be referred to a mental health provider.
2. Protective Custody Cases. Inmates requesting protective custody or demanding to be housed alone may actually be contemplating suicide. When an inmate requests protective custody, or demands to be housed alone, staff shall ensure the Facility SCS is contacted.

These inmates should be screened for suicidal tendencies immediately. Whether or not these inmates are placed in protective custody or housed alone, they should be closely observed to monitor their mental status for behavior (i.e., hopelessness, anxiety, increasing agitation, depression, etc.), which suggests a higher level of monitoring.

#### C2-18-04 REFERRAL

- A. During regular working hours staff shall immediately advise the Facility SCS of any inmate who exhibits behavior indicative of suicide potential and a determination will be made to place the inmate on suicide watch.
- B. In emergency situations or during non-routine working hours any staff member who has reason to believe an inmate may be suicidal, or is uncertain as to the degree of suicide risk, may place an inmate on suicide watch. The Facility SCS will be notified immediately, who will notify the District SCS.
- C. In addition to staff, inmates can play a vital role in helping to prevent inmate suicides. To facilitate this process each institution may encourage inmate referrals by:
  1. Including a statement in the facility inmate handbook/orientation materials encouraging inmates to notify staff of any behavior or situation that may suggest an inmate is upset and potentially suicidal.
  2. Incorporating the topic into formal monthly or quarterly meetings with inmates.
  3. Placing posters in housing areas to address the topic.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-13(M)

## C2-18-05 ASSESSMENT/INTERVENTION

- A. There are varying degrees of potential for suicidal and other deliberate self-injurious behavior which may necessitate a variety of clinical interventions other than placing an inmate on suicide watch. These recommendations might include heightened staff or inmate interaction, a room/cell change, more frequent observation, or referral to a mental health care provider.
- B. During regular working hours inmates referred for assessment of suicide potential will be seen by a mental health care provider on a priority basis. During non-regular hours, staff shall contact the Facility SCS who will determine if the inmate needs to be seen by a mental health care provider, or placed on suicide watch.
- C. In either case, the inmate will have a Suicide Risk Assessment, completed by a qualified mental health care provider within a reasonable timeframe of being placed on suicide watch. Once an inmate has been placed on watch, the watch may not be terminated, **under any circumstance**, without the District or Facility SCS's approval, based on an evaluation, Authorization for Suicide Precaution/Reassessment or Change in Observation Level (Appendix E), being completed by a mental health care provider. There should be a clear description of the resolution of the crisis and guidelines for follow-up care while in the facility.
- D. An inmate assessment by a local health care provider is important, especially if the inmate's behavior suggest he/she is at risk for suicide (e.g., the inmate refuses his or her property, talks about ending his or her life, etc.), an inmate's written or verbal behavior is suggestive of suicide, an inmate exhibits behavior suggestive of self-harm, or any other condition, is present that would lead one to believe an assessment is warranted.
- E. Because deliberate self-injurious behavior does not necessarily reflect suicidal intent, a variety of interventions, other than placing an inmate on suicide watch, may be deemed appropriate by the Facility SCS. For an inmate who has deliberately self-injured themselves, and who is not determined to be suicidal by a mental health care provider, one or more of the following will occur:
1. more frequent staff or inmate interaction/observation,
  2. a housing change,
  3. referral to a mental health care provider,
  4. or placement in restraints, as a last resort.
- F. In any case, the Facility SCS will assume responsibility for the recommended intervention and clearly document the rationale.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-13(M)

## C2-18-06 SUICIDAL INMATES

- A. If an inmate is determined to have the potential for suicide, he/she will be placed on suicide watch in a designated area, in accordance with policy/procedures.
- B. The inmate on suicide watch will also be seen by either the Facility SCS, a mental health care provider, or a shift supervisor at a minimum, on each shift. All contact, observation, and visits by staff, with the inmate, will be documented and placed in the inmate medical file.

## C2-18-07 HOUSING SUICIDAL INMATES

Inmates on watch will be placed in a designated lockdown cell, sleeping area, dayroom, etc., where they can be easily observed on a continuous basis. The following shall be ensured regarding the housing of suicidal inmates:

1. The primary concern in designating a room for suicide watch must be the ability to observe, protect, and maintain adequate control of the inmate at all times.
2. The room must permit easy access to staff, as well as an unobstructed vision of the inmate at all times.
3. The lockdown cell will not have fixtures or architectural features that would allow or easily allow self-injury. Floors should be concrete and walls should be hard. No standing water is allowed.
4. While on suicide watch, the inmate's conditions of confinement will be the least restrictive available to ensure control and safety. The daily custodial care, housing, and routine activities and needs of the inmate will be afforded in a manner that does not affect the inmates' safety or security.
5. Special attention should be given to food and utensils provided to the inmate. Give hand food only without bones. No utensils or baggies are permitted. Beverages should be served in disposable containers and removed after use. No plastic wrap should be used.

## C2-18-08 SUICIDE WATCH PROGRAM

- A. Inmates identified as being suicidal, or potentially suicidal will be placed on suicide watch, in accordance with this policy. These inmates will also be screened by a mental health care provider to determine the type of observation required. The suicide watch procedures may vary for each facility due to the facility design, staffing, etc., and the District SCS will ensure the program is appropriate for the facility, and in accordance with policy. The suicide watch program will include one of the following:

Effective: 01/01/2012

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BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-13(M)

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- B. All activities of inmates on suicide watch will be documented on an Activity Log (Appendix D), with log entries documented in accordance with policy. Removal of an inmate's clothing (including belts and shoelaces) shall be accomplished for inmates on "Close or Constant Observation". Inmates will be issued protective clothing (i.e. a security garment, suicide smock, etc.) that is suicide-resistant and promotes inmate safety, prevents humiliation, and degradation. Bedding should be a mat and a suicide resistant blanket.
- C. Suicide watch may be initiated by any staff member when an inmate has attempted suicide, threatened suicide or routine suicide screening has identified a substantial risk of suicide (See policy, C2-16 Response to Injury or Death).



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-13(M)

- D. Inmates placed on suicide watch will be screened by a mental health care provider as soon as possible, but no later than 72 hours after being placed in this status, and a suicide risk assessment will be conducted, utilizing the "Suicide Risk Assessment Form (Appendix C). Staff will monitor each suicidal inmate's mental status for behavior (i.e. hopelessness, anxiety, increasing agitation, depression, psychoses, etc.), which suggests a need for an increased level of services.

**STAFF MUST NEVER TAKE LIGHTLY ANY INMATE'S SUICIDE THREATS OR ATTEMPTS, OR ANY INFORMATION OR HINTS FROM OTHER INMATES ABOUT AN INMATE BEING POTENTIALLY SUICIDAL.**

#### C2-18-09 REQUIREMENTS FOR SUICIDE WATCHES

Individuals assigned to suicide watch will have verbal communication with the suicidal inmate as well as continuous observation of the suicidal inmate. The following shall be complied with:

1. The suicide watch will be conducted by detention staff
2. Ordinarily, detention staff assigned to a suicide watch must have received Basic Correctional Officers Training at the Indian Police Academy, or initial orientation, to include the suicide prevention program, at the facility.

#### C2-18-10 RESTRAINT OF SUICIDAL INMATES

If approved by the Facility SCS and medical authority, restraints may be applied in accordance with applicable procedures/policies if necessary, to obtain greater control and as a last resort (See Policy, Use of Force/Restraints). Further, the use of restraints must be clearly supported and documented. Soft restraints will be used whenever available.

#### C2-18-11 SUICIDE RESCUE TOOL

An approved and authorized suicide rescue tool, (i.e., a seat belt cutter tool), will be available in each facility, stored in a secure location, easily accessible to detention staff, for inmate housing areas. All staff will be trained to use the suicide rescue tool, and in the procedures for responding to a suicide emergency.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-13(M)

## C2-18-12 TRANSFER OF INMATES TO OTHER FACILITIES

The District SCS, with information received from the Facility SCS and with input from a local mental health care provider, will be responsible for making decisions regarding transfers of suicidal inmates to other BIA detention facilities or contract facilities, when available.

## C2-18-13 MEDICAL FACILITY REFERRAL

- A. Inmates who do not respond to treatment interventions and remain imminently suicidal may require emergency hospitalization. Although a mental health referral may be indicated, requested, recommended, or completed, at any time, after an inmate who has been on continuous watch for 72 hours, the Facility SCS must ensure contact is made with the District SCS to discuss the case and determine if an emergency transfer is appropriate.
- B. If a medical decision is made not to transfer the inmate to a medical facility, the rationale for not initiating a request for emergency transfer must be documented and placed in the inmate medical file. The District SCS will ensure the Chief of Corrections is notified (See policy, Inmate Releases). Contact with the Court of record should be made to request placement in mental health medical facility when appropriate.

## C2-18-14 CRITICAL INCIDENT STRESS DEBRIEFING

Any staff member involved in a situation regarding an inmate suicide will be referred to counseling through the Employee Assistance Program (800-222-0363; web site [www.foh.dhhs.gov](http://www.foh.dhhs.gov)). The staff member shall be debriefed by a qualified mental health care provider or through the IPA's Peer Support Program. **This is not an option, but a requirement.**

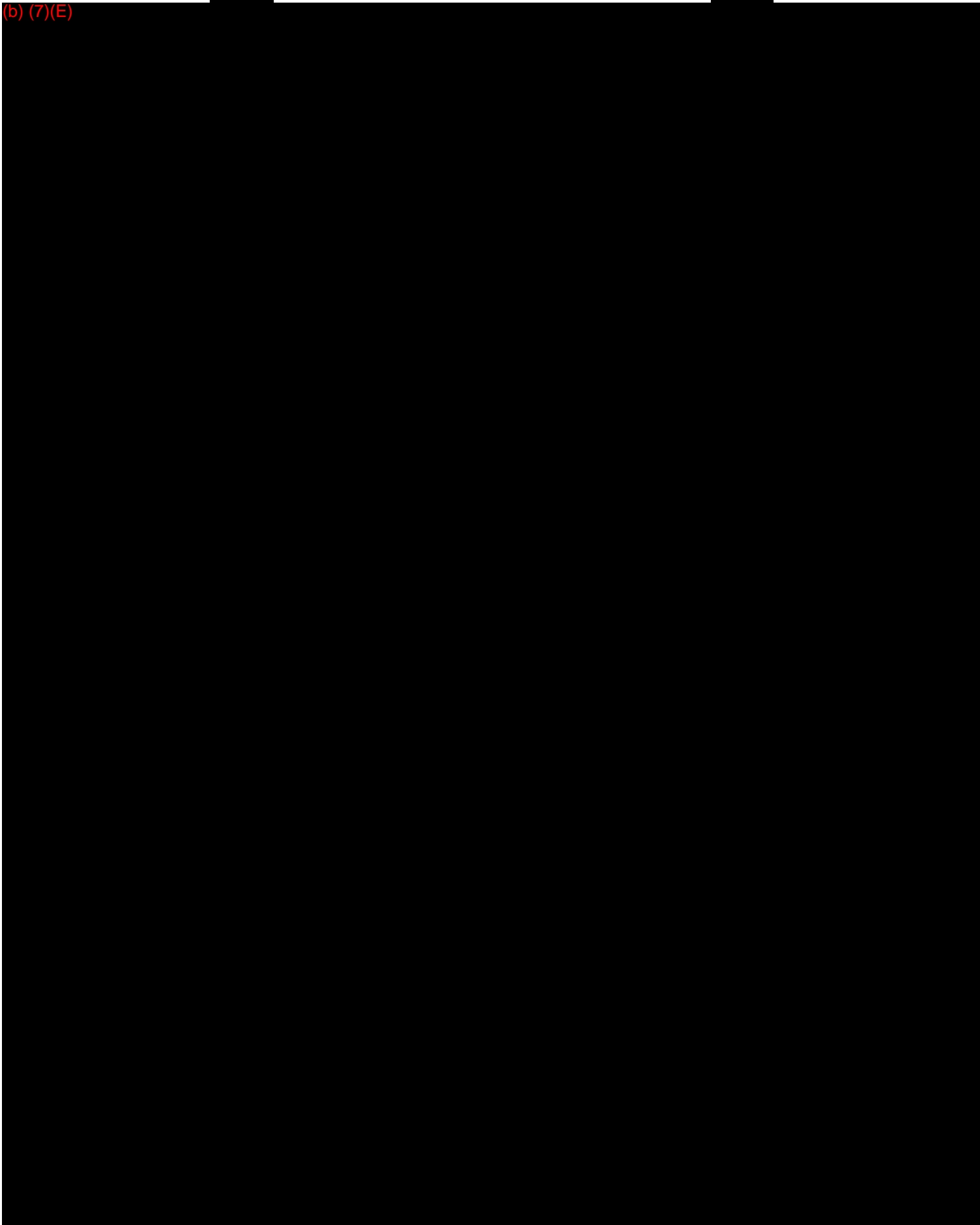
## C2-18-15 SUICIDE PREVENTION INFORMATION

Refer to Handbook Appendix C

## C2-18-16 APPENDIX INFORMATION:

1. Authorization for Suicide Precaution/Reassessment or Change in Observation Level Form (Appendix A)
2. Suicide Precaution Observation Form (Appendix B)

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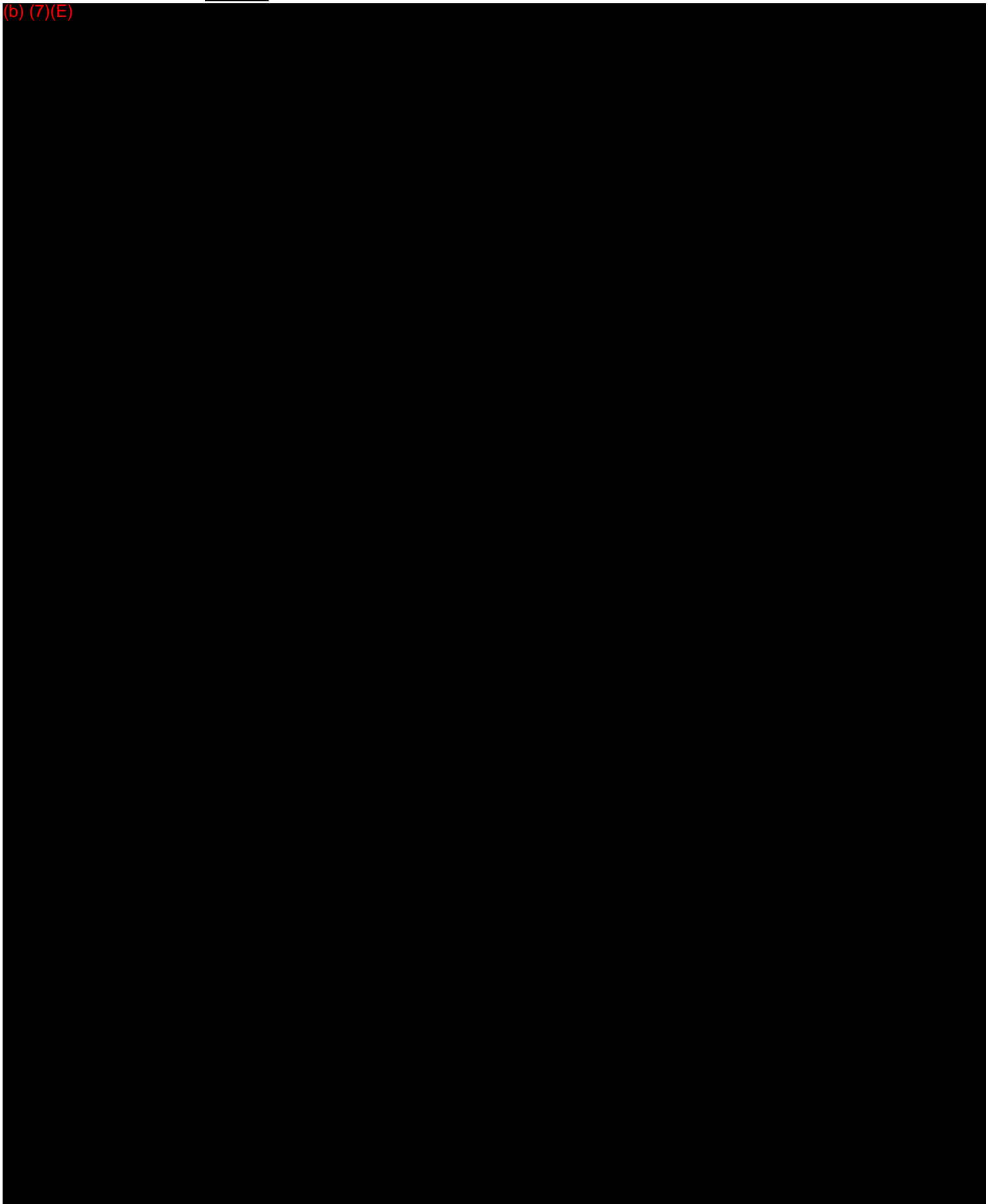
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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-10

## C2-19 POPULATION MANAGEMENT CONTROL

### POLICY

OJS Detention Facility SCS's in conjunction with their District SCS will monitor inmate capacities and make every effort to address overcrowding at each facility.

### RULES AND PROCEDURES

#### C2-19-01 FACILITY CAPACITY

##### Rated Bed Capacity

1. Each morning, the On Duty Supervisor will review the Unit Roster to obtain the inmate population for each Housing Unit and the facility.
2. If the total number of inmates in a Housing Unit is near or at the rated capacity, the On Duty Supervisor will advise the Facility SCS.
3. The Facility SCS will consider the appropriateness of convening a Classification Committee to adjust the housing population while still following the classification guidelines.
4. The Classification Committee and the Facility SCS will meet to review the feasibility of housing transfers and if this alternative will correct the rated capacity without creating adverse conditions, the Facility SCS will initiate the recommended moves.
5. If making the internal moves will not improve the rated capacity, the Facility SCS will develop a course of action and present it to the District SCS.
6. The District SCS will implement the adopted course of action which may include the following steps:
  - a. The Facility SCS will contact the Sentencing Court Judge to request that population capacity release procedures be implemented.
  - b. The Facility SCS will contact other Facility SCS's to have inmates from their facilities (if any) returned to their original facility.
7. The On Duty Supervisor will report all incidents of exceeding the rated capacity on the Shift Report.

#### C2-19-02 FACILITY OVERCROWDING

Each Facility SCS will develop and maintain a Facility Population Management Plan to address overcrowding. The Plan will include records on the admission, processing, and release of inmates.



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-13; 2A-14; 2A-16; 2A-17; 2A-18; 4B-01; 4C-09(M); 4C-10(M); 4D-11;

## C2-20 INMATE INTAKE AND CLASSIFICATION

### POLICY

The Office of Justice Services will ensure all arrestees booked into BIA detention facilities have been legally detained, positively identified, and thoroughly screened to uphold their civil rights and to protect the security and safety of staff and other inmates.

### RULES AND REGULATIONS

#### C2-20-01 GENERAL

- A. The BIA-OJS authorizes detention staff to perform booking, which includes legally identifying arrestees prior to booking, performing a thorough search of each arrestee and their belongings, completing all booking documents and questions on booking forms, observing arrestees for mental and medical health issues including substance abuse and levels of intoxication, and orienting inmates to the facility.

The booking procedure will include identifying the subject as a Native American.

- B. Detention facilities are not designed to store large or potentially dangerous personal property items, e.g. bicycles, back packs, suit cases, guitars, firearms, etc. Facilities do not have the capability of securing large sums of cash. Facilities will only be able to accept property carried on the arrestee's person and cannot accept sums of cash exceeding \$500 dollars. Large/hazardous items and cash found on the arrestee will be turned over to the arresting police officer for safekeeping.
- C. Immediately following booking, or as soon as possible thereafter, the inmate will be allowed the opportunity to complete at least one telephone call and will be assisted by staff, as needed, to notify persons of their admission into custody.

#### C2-20-02 PRE-BOOKING RECEIPT OF ARRESTEE

- A. Officers will bring arrestees into the facility booking area with hands handcuffed behind their back. When necessary, a detention officer may assist the police officer in removing an unruly arrestee from the police vehicle.
- B. Should an arrestee be presented with hands cuffed in front, the arrestee will be placed in additional restraints i.e. belly chain or waist belt with handcuffs attached.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-13; 2A-14; 2A-16; 2A-17; 2A-18; 4B-01; 4C-09(M); 4C-10(M); 4D-11;

- C. The booking officer shall ensure that an Arrestee Custody Receipt (appendix A) and, if medically needed, an Arrestee Medical Clearance Form (appendix B) is completed and provided for each arrestee prior to booking.
1. If an arrestee meets any of the issues as noted in section 6 on the "Arrestee Medical Clearance Form", they will not be booked into the facility until they have been medically screened and cleared by a medical health care provider or appropriate certified health care provider.
  2. It is not imperative that all arrestees be medically screened prior to being accepted-booked into the facility, if they do not meet one of the issues noted in section 6. However, detention staff should use sound judgment for any other issues that may preclude an arrestee from being booked.
  3. The Admission/Booking Officer will not admit/book any arrestee into the facility who has been deemed extremely intoxicated, without medical clearance. This determination will be based on the admission/booking officer's observation, preliminary breath test, intoxilyzer test, etc.
  4. In the event there is a disagreement between the detention officer performing the booking, and the arresting officer, whether the arrestee requires a medical screening, a Detention Supervisor will be contacted to make the final decision.
- D. All juveniles who are determined to be under the influence of any substance will require medical clearance.
- E. The detention officer conducting the booking will review documentation, i.e., Writ document within Indian Country, active warrant, Court Order or any Court provided documents, arrest affidavits, mittimus orders, etc.
- F. The detention officer will then verify the arrestee is the individual the police officer has presented, by comparing the arrestees personal identification, drivers license, ID card, SSN Card, or any other official form of identification available, to ensure the police officer's documentation is correct. When unable to make a positive identification, the arrestee will be booked using a generic name, e.g. John/Jane Doe. Detention staff will continue to attempt to make positive identification.
- G. Once the above steps have been accomplished, detention staff will take possession of the arrestee

## C2-20-03 BOOKING

- A. Any arrestee/inmate displaying aggressive, hostile, or unusual behavior will remain secured, and handled in accordance with the Use of Force policy. Once the arrestee/inmate(s) behavior has subsided, and the on-duty supervisor approves the arrestee/inmates release from restraints; the booking process will be initiated/completed in accordance with policy.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-13; 2A-14; 2A-16; 2A-17; 2A-18; 4B-01; 4C-09(M); 4C-10(M); 4D-11;

- B. The detention officer(s) performing the booking shall perform a thorough personal search (See policy, Searches), prior to un-cuffing the arrestee/inmate. . Any illegal items found will be turned over to the arresting officer.
- C. A full face photo of the arrestee will be taken immediately following the personal search. Additional photos of any apparent injuries may be necessary and complaints will be noted on the appropriate booking paperwork.
  - 1. Photos taken of arrestees/inmates at time of admission will be against a white or blue background without the measuring tape being visible.
  - 2. Cameras and recording equipment will be facility owned and approved.
  - 3. No personal cell phones, MP3 players, IPODS, etc. are allowed in the facility.
  - 4. Photographs are for internal use only. Any release to outside agencies must be approved by the Facility SCS.
- D. Once the personal search is completed, the arrestee(s) if compliant and after officer safety has been evaluated will be un-cuffed, and directed to a designated private area, where a strip search will be conducted by a staff member of the same gender, if possible. In the case of female arrestees, a staff member of the same gender is required. If a female staff member is not available, the female arrestee will be returned to the admissions area and placed in a holding cell. A female trained in conducting strip searches will be summoned and upon arrival the female arrestee will be processed.
- E. When the strip search has been completed, the inmate will be placed in facility issued properly fitting clothing, suitable for the climate. If available, or necessary, the inmate will be afforded a shower at this time unless he/she is intoxicated.
- F. Once the inmate has changed clothing, the officer(s) will continue the booking process. The following forms will be completed:

#### C2-20-04 SCREENING AND CLASSIFICATION

##### A. Intake Screening form (Appendix C):

- 1. The interview of the inmate will take place in a private area, away from other inmates.
- 2. The officer completing this form shall review any relevant information regarding the inmate, including but not limited to age, gender, legal status, custody needs, special problems and needs, behavior, arrest report, inmate file from previous period of incarceration, NCIC, etc., if available, and make a decision whether the inmate is suitable for placement in general population.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-13; 2A-14; 2A-16; 2A-17; 2A-18; 4B-01; 4C-09(M); 4C-10(M); 4D-11;

3. The officer will also review available documents to determine if the inmate has a history of sexually aggressive behavior or has recently been the victim of a sexual assault. If it is determined the inmate meets either of these two issues, the on-duty supervisor will be contacted upon completion of the booking process, and informed of the officer's finding.
  - a. If the Facility SCS is on duty, he/she will be contacted to determine the proper housing assignment for inmates who meet these criteria.
  - b. Ordinarily, these inmates will be placed in a single cell until a determination regarding their situation can be reviewed more thoroughly.
  - c. An inmate who indicates they have recently been sexually assaulted will be referred to a medical and mental health care provider immediately. The arresting police officer will be notified.
4. The Facility SCS or designee will review, sign and date all intake screening forms, to ensure their accuracy, completeness, and to be aware of any issues. This will be accomplished if the SCS is working during the shift the intake takes place or upon his/her next duty day. He/she will also ensure all paperwork completed during booking and intake is completed and accurate.
5. The inmate identification number (Id. No.) noted in section 3 of the Intake Screening Form, and the Acknowledgement of Inmate Form may or may not be applicable. This number once established/determined shall be noted.

B. Acknowledgement of Inmate:

Staff will ensure the Acknowledgement of Inmate form (Appendix D) is completed accurately and thoroughly.

C. Inmate Property:

1. During booking the inmate's property will be searched. All inmate personal items will be noted on an Inmate Personal Property form. Any items not authorized within the facility shall be confiscated and noted on a Confiscation and Disposition of Contraband form (See Inmate Personal Property policy).
2. Property that does not meet the criteria established in C2-20-01 B. will be turned over to the arresting officer.

D. Inmate Receipt/Transfer:

1. Any inmate transferred from one BIA Detention Facility to another will have an Inmate Receipt/Transfer form generated.
2. The officer conducting the booking/intake of a transferred inmate will ensure the Inmate Receipt/Transfer form is obtained from the transport officer.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-13; 2A-14; 2A-16; 2A-17; 2A-18; 4B-01; 4C-09(M); 4C-10(M); 4D-11;

3. The form will be signed by the booking officer and a signed copy will be provided to the transport officer (see Inmate Transport Policy).
- E. The extradition process will be reviewed for applicability when any Inmate is being transferred to a facility that is not a BIA Detention Facility.
- F. Filing:

All documentation completed during booking will be filed in the inmate file. A copy of the Inmate Personal Property and Acknowledgement of Inmate forms will be provided to the inmate if sober. If not, then present when sober.

#### C2-20-05 APPENDIX INFORMATION

- A. Arrestee Custody Receipt (Appendix A)
- B. Arrestee Medical Clearance Form (Appendix B)
- C. Intake Screening Form (Appendix C)
- D. Medical Screening Form (Appendix D)
- E. Acknowledgement of Inmate Form (Appendix E)
- F. Suicide Intervention Screening Form (Appendix F)
- G. Personal Information Questionnaire (Appendix G)



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-13; 2A-14; 2A-16; 2A-17; 2A-18; 4B-01; 4C-09(M); 4C-10(M); 4D-11;

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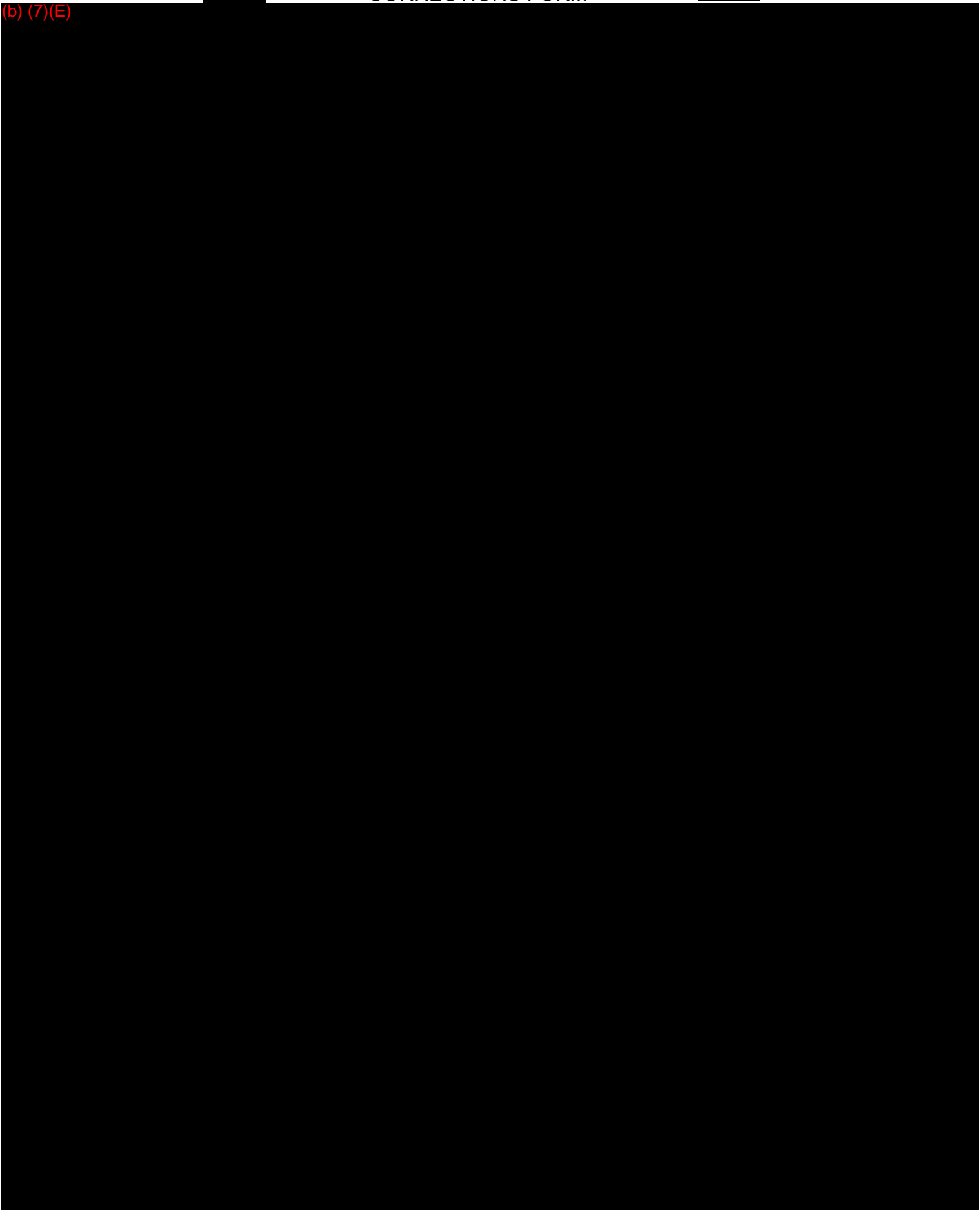
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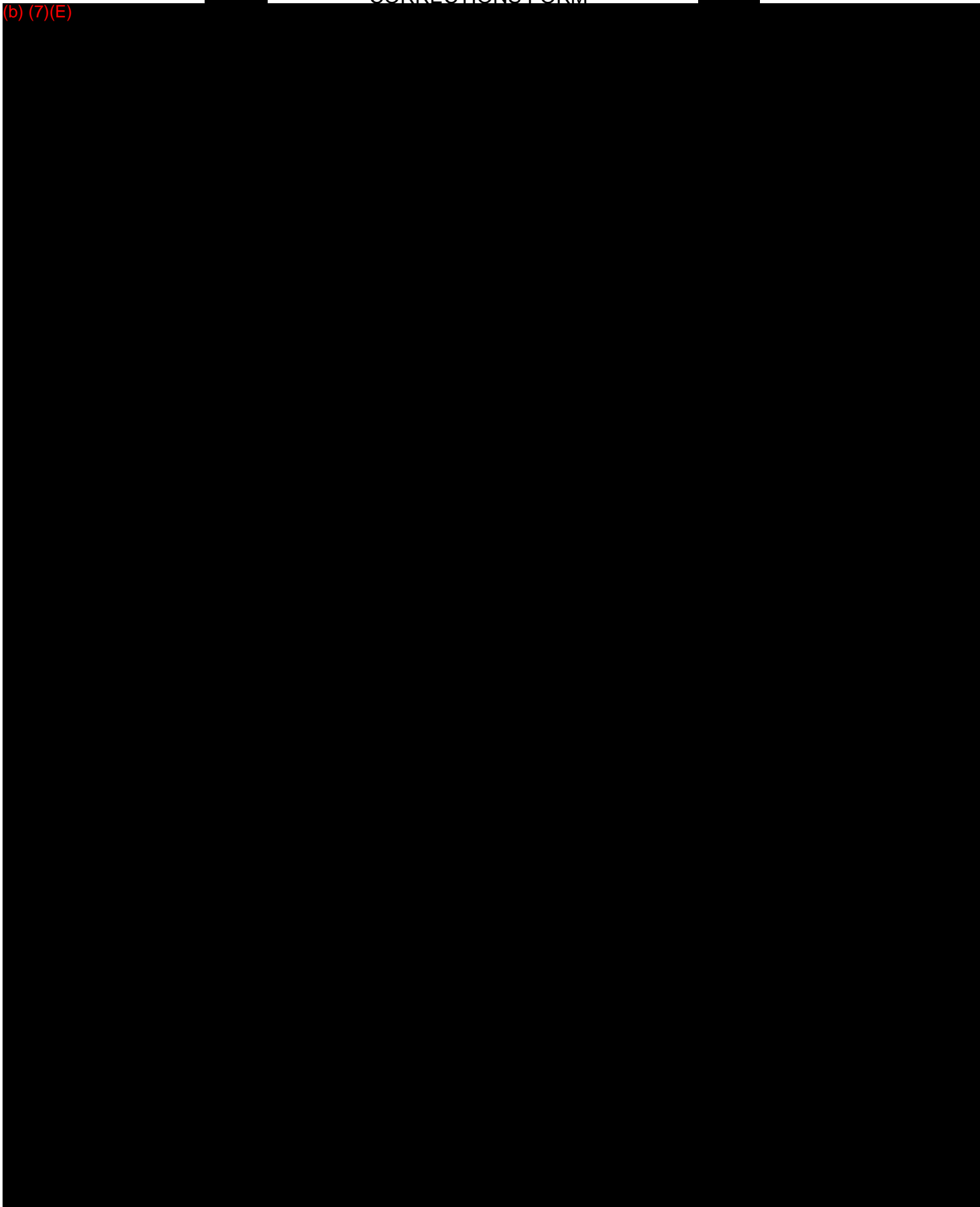


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Effective: 02/01/2012      Revised:  
BIA Adult Detention Facility Guidelines December 2010

## C2-21      INMATE HANDBOOK

### POLICY

OJS Corrections Facilities will provide each inmate a copy of the Inmate Handbook as provided for in the Corrections Handbook.

### RULES AND PROCEDURES

#### C2-21-01 INMATE ACCESS TO INMATE HANDBOOK

- A. All inmates will be provided with an Inmate Handbook and instructed on the contents, as described in section C2-26-03 of this Handbook.
- B. A Model Inmate Handbook is provided as an appendix to this Handbook. The Facility SCS will update the Model Inmate Handbook as necessary and insure it is issued to all incoming inmates.

#### C2-21-02 FORMS ASSOCIATED WITH THIS DIRECTIVE

The following forms listed below are also available in the Model Inmate Handbook.

- C2-21-A Inmate Handbook (found in appendices)
- C2-21-B Inmate Orientation and Handbook Acknowledgement
- C2-21-C Inmate Request Form

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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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BIA-Adult Detention Facility Guidelines December 2010:

## C2-22 INMATE PERSONAL PROPERTY

### POLICY

The Office of Justice Services controls the amount and type of property an inmate may possess, and ensures unauthorized property is not allowed within a detention facility

### RULES AND REGULATIONS

#### C2-22-01 GENERAL

- A. Inmates may only possess property in the facility which is authorized. Authorized inmate property may be received during booking, provided by the facility while in custody, or if approved by the Facility SCS, by mail. These rules contribute to the management of inmate personal property in the facility, and contribute to a safe environment for staff and inmates by reducing fire hazards, security risks, and sanitation problems which relate to inmate personal property.
- B. All personal property in the possession of an individual when arrested and incarcerated must be accounted for. If the arresting officer took property for evidence or safekeeping, it must be tagged in at the police agency. Any other property belonging to the arrestee must be included in his/her personal property inventory at the detention facility.

NOTE: Destruction of personal property without due process is illegal.

#### C2-22-02 RECEIPT OF INMATE PROPERTY

- A. At initial booking, all inmate personal property will be accounted for.
  1. Detention facilities have a limited capability to store inmate's property. Large, bulky, and unsafe items along with cash in amounts over \$500 dollars will not be accepted at time of admission but will be returned to the arresting officer. See C2-20-1 B.
  2. During booking, the inmate's personal property will be searched thoroughly. All inmate personal items will be noted on an "Inmate Personal Property" form (Appendix A).
  3. Upon identifying all inmate personal property on the form, the inmate will sign the form (or the form will be witnessed by two staff members) and will be provided with a copy of the form, and a copy will be placed in the inmate's file.
  4. Any unauthorized property shall be documented on a "Confiscation and Disposition of Contraband" form (Appendix B), and a copy of this form will be placed in the inmate file, and a copy will be provided to the inmate.

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BIA-Adult Detention Facility Guidelines December 2010:

5. Below is a list of unauthorized items that may not be retained by an inmate within any BIA detention facility, and shall be classified as contraband. Each facility may also specify any additional prohibited items.
  6. Unauthorized Property
    - a. Tools
    - b. Knives
    - c. Civilian clothing, bedding,
    - d. Identification cards, licenses,
    - e. Cash, coin, checks, vouchers, etc.
    - f. Jewelry
    - g. Tobacco
    - h. Matches, lighters
    - i. Pre packaged food, beverages,
    - j. Pre-packaged over the counter medications
  7. Illegal, Unlawful Contraband  
(to be retained or disposed of by arresting officer)
    - a. Weapons
    - b. Ammunition
    - c. Explosives
    - d. Combustible or flammable liquids
    - e. Intoxicants
    - f. Narcotics or other controlled substances not dispensed/issued or approved by a health care provider the facility approves or recognizes.
    - g. Hazardous or poisonous chemicals and gases.
- B. Unauthorized property as listed on the Personal Property Form will be stored appropriately and returned to the inmate upon final release. Items such as perishable food and soiled clothing that cannot be cleaned will be disposed of. Illegal/unlawful property will be turned over to law enforcement as evidence for possible charges. Property deemed unsafe for storage may be disposed of, based on approval by the Facility SCS. A report will be completed detailing this action.
- C. Items allowed to be possessed by an inmate include items issued during booking, issued by authorized staff, or purchased or received through approved channels. Items approved for receipt by the Facility SCS or authorized by facility guidelines, will not ordinarily be considered contraband.
- D. Contraband also includes material prohibited by law, or by regulation, or material which can reasonably be expected to cause physical injury or adversely affect the security, safety, or good order of the institution.

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BIA-Adult Detention Facility Guidelines December 2010:

- E. Illegal items may be turned over to law enforcement authorities for initiation of possible criminal charges.
- F. Staff shall consider other items as contraband if they were never authorized, or which were previously authorized for possession by an inmate, but whose possession is prohibited when it presents a threat to security or its condition or excessive quantities of it present a health, fire, or housekeeping hazard. Examples include: personal property no longer permitted for admission to the facility; altered personal property; excessive accumulation of newspapers, letters, or magazines which cannot be stored neatly and safely in the designated area; food items which are spoiled or retained beyond the point of safe consumption; government-issued items which have been altered, or other items made from government property without staff authorization.
- G. The Facility SCS may set limits at the local facility, based on available storage space, on the amount of commissary type items, newspapers, magazines, etc., each inmate may retain. This and any additional procedures instituted at the local facility will be addressed in a local change order, which supplements the national policy.

#### C2-22-03 AUTHORIZED PROPERTY

- A. A reasonable accommodation may be made by the Facility SCS authorizing specific items, based on security and safety considerations. Each facility will identify in local change orders items which are authorized for the facility.
- B. The facility should only allow a minimum of personal property.
- C. Each facility will not allow excess jewelry. Normally, the facility should only authorize a wedding band, eyewear, dentures, and prostheses when sober. Religious items may be limited due to space requirements, safety, and security concerns; however, the Facility SCS/supervisor should use good judgment when denying such items.
- D. Receipt of personal property after admission/booking into the facility should also be kept to a minimum. Items approved should be carefully considered, and upon delivery to the facility, searched thoroughly.
- E. No food items shall be allowed to be delivered or mailed to inmates.

Effective: 01/01/2012      Revised:  
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## C2-22-04 VALUABLES

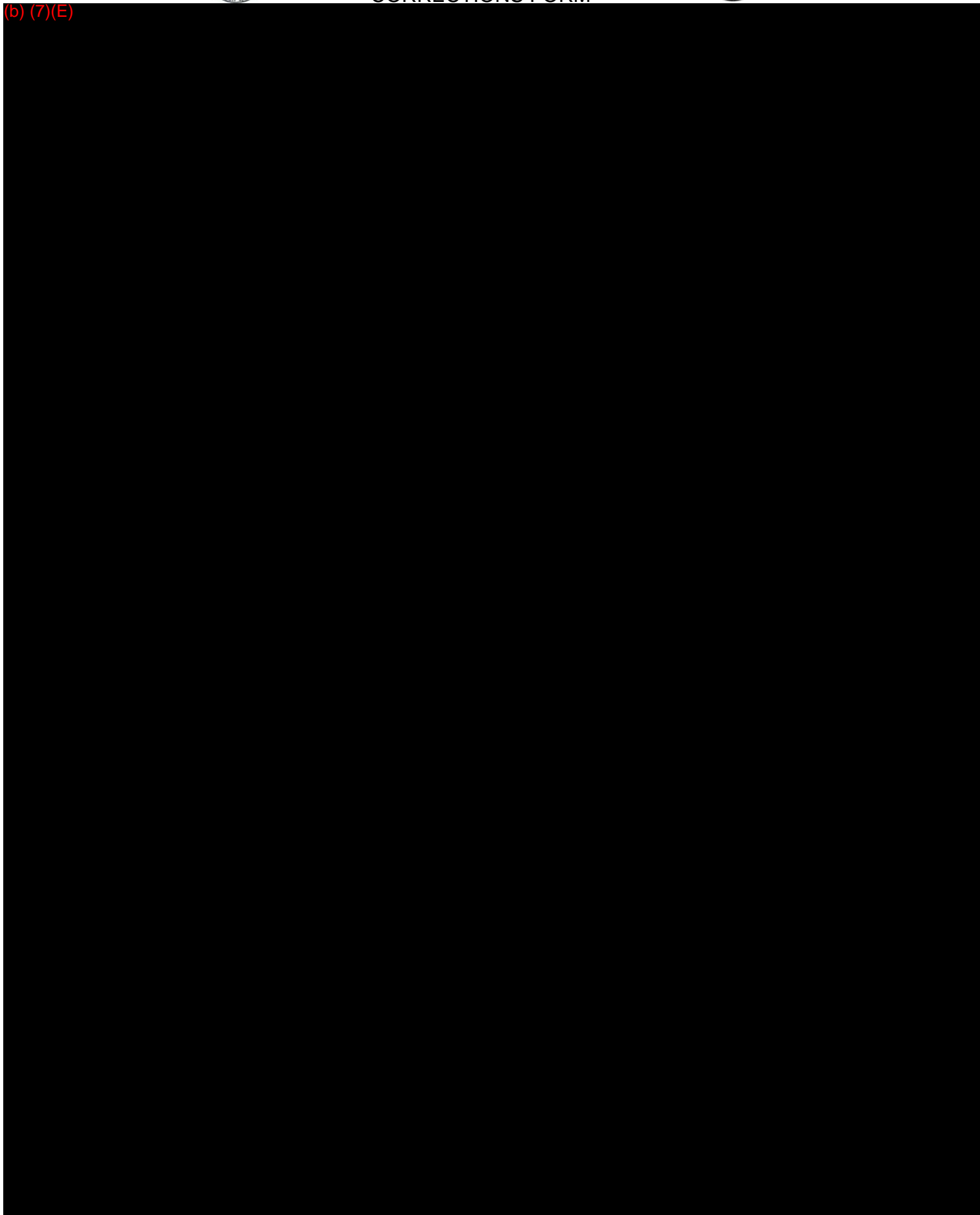
- A. All cash, coins, I.D., credit cards, checks, etc. found on the inmate during intake will be noted on the "Inmate Personal Property Form".
- B. Descriptions of jewelry and other property that may have a value will be described without using terms that establish a potential value, e.g. a ring with a stone in it will be described as a yellow colored metal ring with a clear stone insert, not a "gold diamond" ring. At no time will a description of property confer a value to the property other than to cash and money coins.
- C. Property Forms listing valuables should be co-signed by another CO. Valuables should be kept in a container with the inmate's name and stored in a safe.



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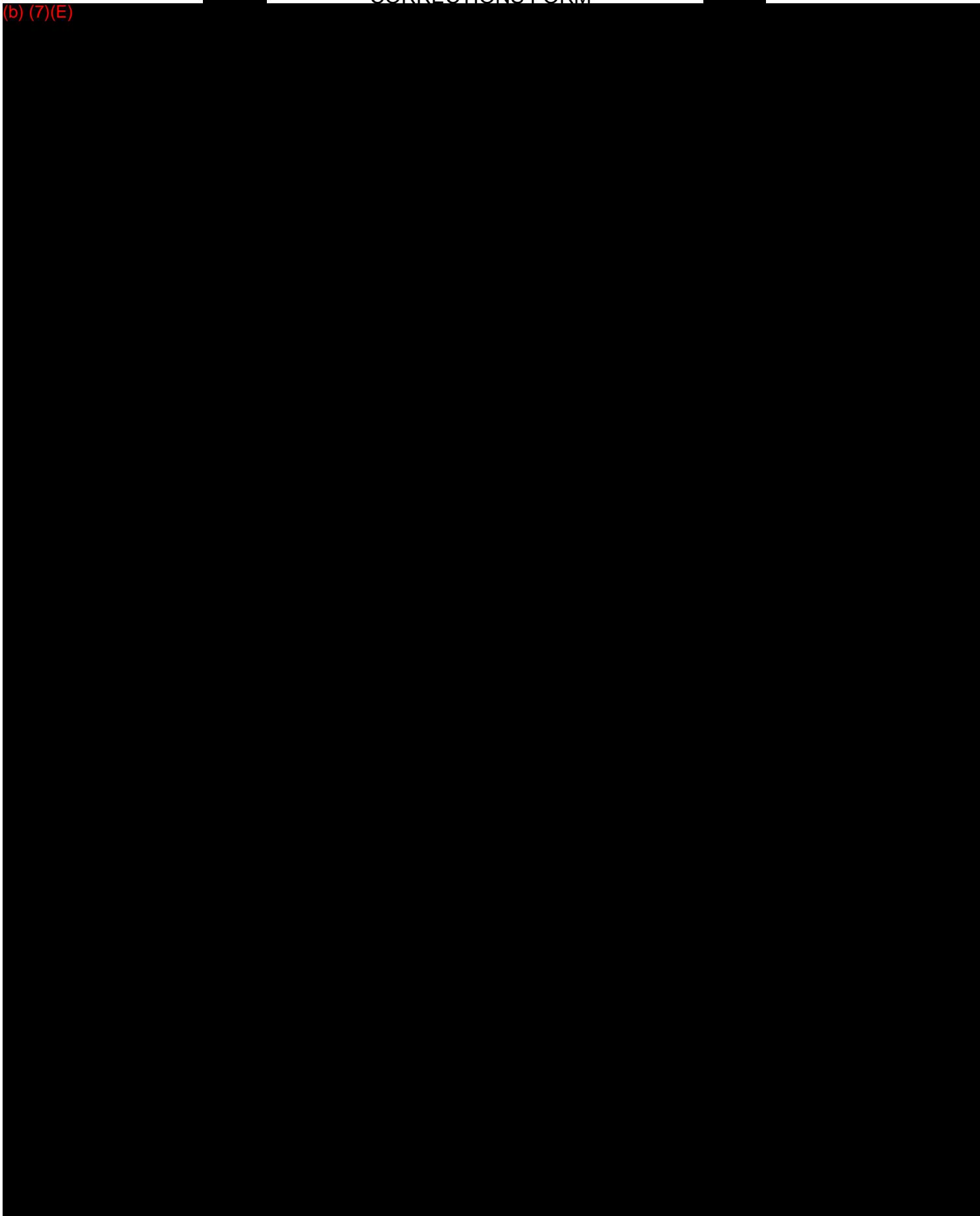


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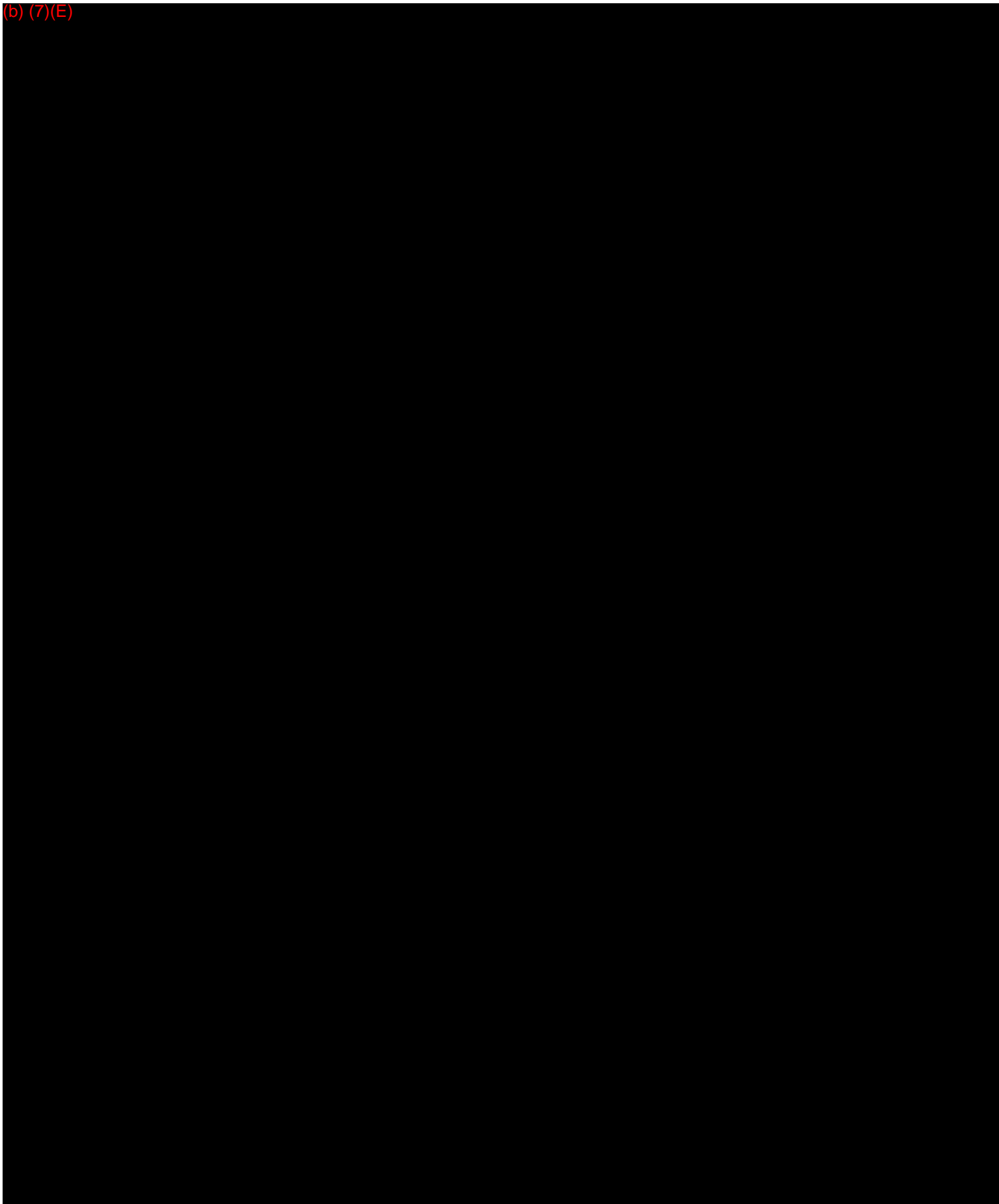
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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-11

## C2-23 INMATE COUNTS

### POLICY

The Detention Facility SCS will ensure that all required inmate counts are conducted for each shift.

### RULES AND REGULATIONS

#### C2-23-01 GENERAL

A. (b) (7)(E)

B. (b) (7)(E)

C. (b) (7)(E)

#### C2-23-02 OFFICIAL COUNTS

(b) (7)(E)

(b) (7)(E)

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-11

(b) (7)(E)



### C2-23-03 EMERGENCY COUNTS

(b) (7)(E)



### C2-23-04 INMATE SHIFT COUNT FORM

(b) (7)(E)



(b) (7)(E)

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-11

(b) (7)(E)

C2-23-05 OUT OF FACILITY COUNT

(b) (7)(E)

BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

(b) (7)(E)



(b) (7)(E)



(b) (7)(E)



Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:      BIA ADF-1B-01;

## C2-24 INMATE TRANSPORT

### POLICY

The Office of Justice Service will ensure the transportation of all inmates who are in their custody in approved vehicles and in a manner that provides safety and security for the inmates, detention staff, and the public.

(b) (7)(E)

### RULES AND REGULATIONS

#### C2-24-01 TRANSPORT AUTHORITY

A. The Facility SCS has the authority to approve and authorize a transport for a BIA inmate. In high profile cases, notification will be forwarded up the chain of command.

B. (b) (7)(E)

C. (b) (7)(E)

D. (b) (7)(E)

#### C2-24-02 VERIFICATION FOR TRANSPORT

A. All required inmate movement for transport must be documented. The following are acceptable documents to substantiate an inmate transport:

(b) (7)(E)


B. (b) (7)(E)

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:      BIA ADF-1B-01;

### C2-24-03 PLANNING FOR LONG RANGE TRANSPORT

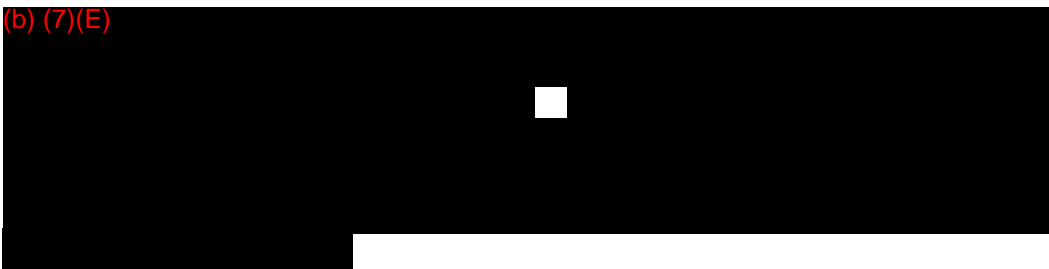
The procedure for planning the transport of any inmate, which ordinarily the supervisor is responsible for, is accomplished prior to the transport as follows:

(b) (7)(E)



(b) (7)(E)

8. (b) (7)(E)





Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-1B-01;

- 9. (b) (7)(E) [Redacted]
- 10. (b) (7)(E) [Redacted]
- 11. (b) (7)(E) [Redacted]

C2-24-04 TRANSPORTING THE INMATE

- A. (b) (7)(E) [Redacted]

B. Transporting the inmate(s) will be as follows:

- (b) (7)(E) [Redacted]

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:      BIA ADF-1B-01;

(b) (7)(E)

[Redacted text block]

[Redacted text block]

(b) (7)(E)

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:      BIA ADF-1B-01;

(b) (7)(E)

[REDACTED]

(b) (7)(E)

C2-24-05 LOCAL TRANSPORT (COURT, MEDICAL, DENTAL, ETC.)

All applicable transport procedures previously addressed in this policy will be adhered to, as well as the following:

(b) (7)(E)

[REDACTED]

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:      BIA ADF-1B-01;

(b) (7)(E) [Redacted]

## C2-24-06 HOSPITAL TRIPS

### A. Unescorted Trips

(b) (7)(E) [Redacted]

[Redacted]

### B. Escorted Trips

(b) (7)(E) [Redacted]

[Redacted]

## C2-24-07 AIR TRANSPORT

A. (b) (7)(E) [Redacted]

B. (b) (7)(E) [Redacted]

C. (b) (7)(E) [Redacted]

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:      BIA ADF-1B-01;

- D. (b) (7)(E) [Redacted]
- E. (b) (7)(E) [Redacted]
- F. (b) (7)(E) [Redacted]
- G. (b) (7)(E) [Redacted]
- H. (b) (7)(E) [Redacted]
- I. (b) (7)(E) [Redacted]
- J. (b) (7)(E) [Redacted]

C2-24-08 EMERGENCIES DURING TRANSPORTS

(b) (7)(E) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:      BIA ADF-1B-01;

(b) (7)(E)



BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

(b) (7)(E)



BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

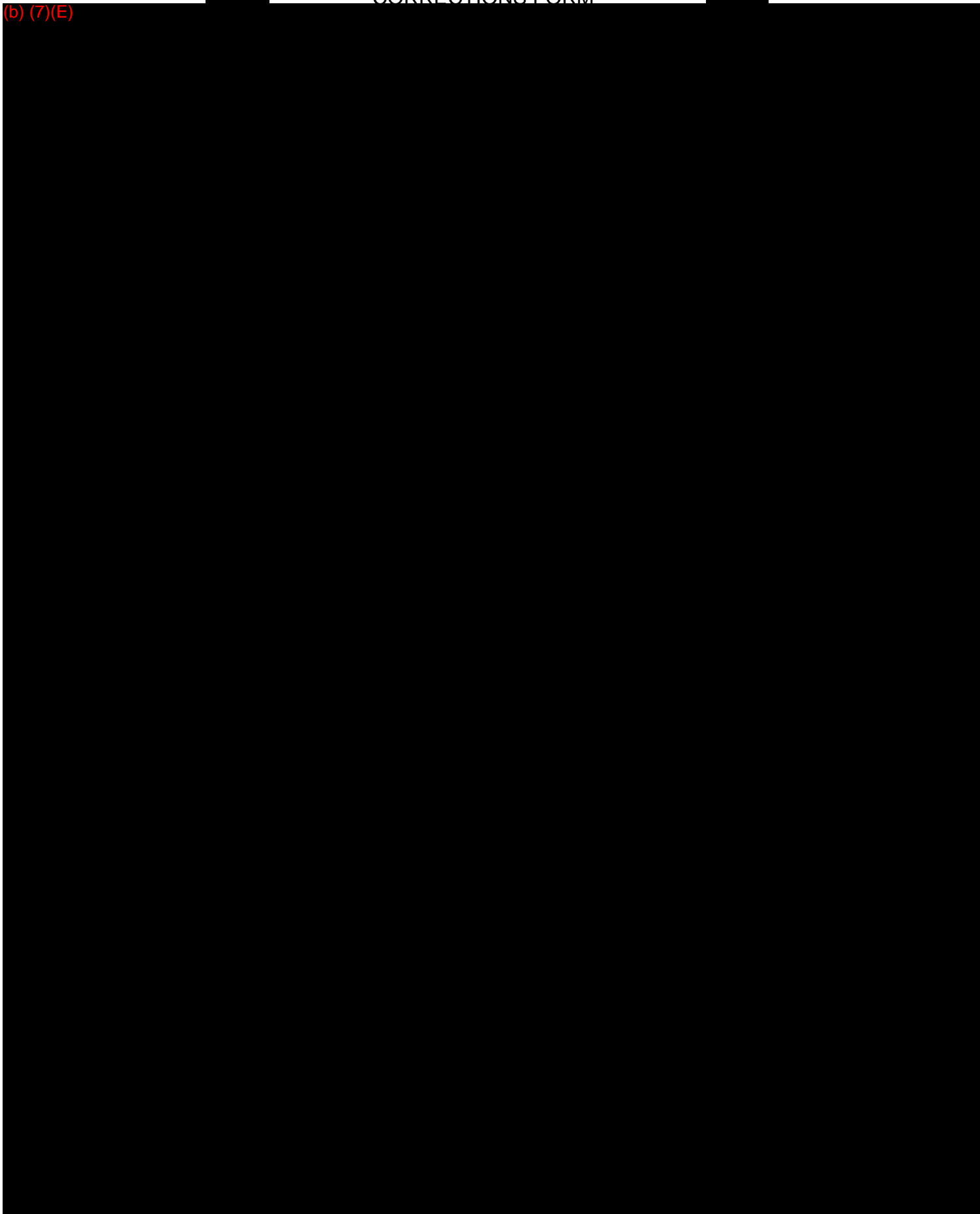
(b) (7)(E)





BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

(b) (7)(E)



BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

(b) (7)(E)



BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

(b) (7)(E)



BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

(b) (7)(E)



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-15; 4B-01

## C2-26 HOUSING ASSIGNMENT

### POLICY

Inmates are assigned to the appropriate Housing Unit consistent with orientation and the classification system to promote inmate well-being and program participation.

### RULES AND PROCEDURES

#### C2-26-01 GENERAL

Job functions identified in this directive, i.e. Admissions Officer, Housing Officer, etc. refer to duty assignments for clarity. Staffing levels may require that one Correctional Officer (CO) perform all the functions listed.

#### C2-26-02 INITIAL HOUSING ASSIGNMENT

- A. The On Duty Supervisor and Correctional Officer (CO) will determine a room/bed assignment for the inmate using a Unit Roster and classification information. When double bunking is used, age and medical conditions should be considered.
- B. The On-Duty CO will ensure that the room/bed to be assigned is ready for the inmate to occupy.
- C. The Admissions/Detention Officer will hand the inmate the facility issued property to include towel, linens, and bedding.
- D. In coordination with the Housing Officer, the Admissions Officer will escort the inmate to the designated Housing Unit and verbally inform the Housing/Detention Officer if the inmate has not received orientation.
- E. The Housing Officer will note this information on the Inmate Log and Post Log and take the inmate to his/her room.

#### C2-26-03 ORIENTATION

- A. The Housing/Detention Officer will introduce himself to the inmate, and tell him/her what is expected by explaining the Inmate Handbook and the facility rules when staff is available.
- B. The Housing Officer and inmate will inspect the inmate's room and document the condition on the Activity Log and complete a Room Assignment Checklist. Specific conditions may be brought to staffs attention by the inmate or by personal observation.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-15; 4B-01

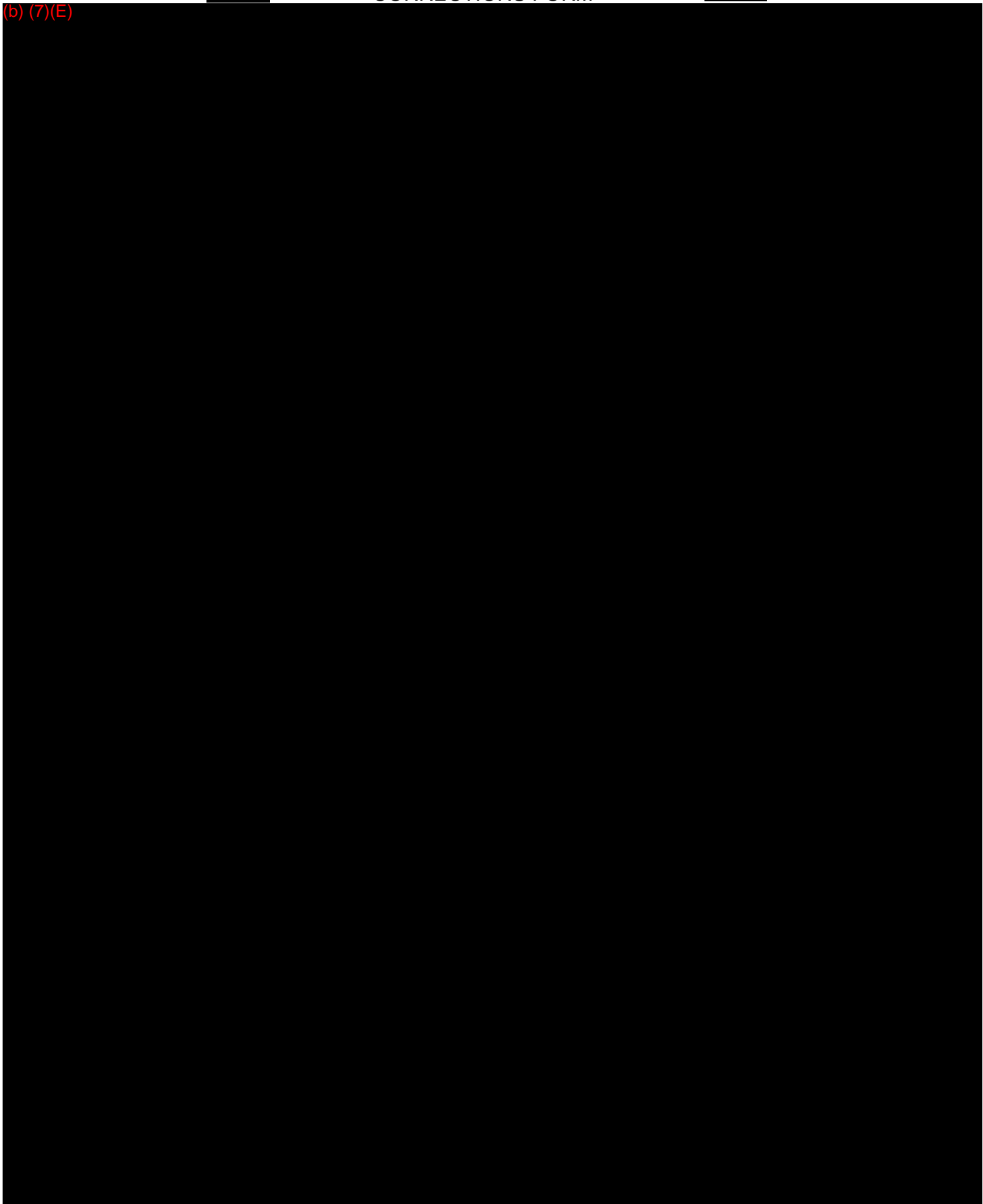
- C. The Housing Officer will direct the inmate to read the Inmate Handbook in his/her room. If the inmate is unable to read, the Housing Officer will explain the Inmate Handbook to the inmate or show a Handbook video, if available.
- D. The Housing Officer will instruct the inmate with written and/or visual aids how the room is to be maintained, including the proper way to make the bed.
- E. The Housing Officer will give the inmate a tour of the Housing Unit, pointing out the location of showers, janitor closet, bulletin board, eating area, TV, and phone etc.
- F. The Housing Officer will show the inmate where the Daily Schedule is posted and will review a typical daily schedule.
- G. The Housing Officer will explain any rules or expectations that are specific to the Housing Unit, answering any questions the inmate may have.
- H. The Housing Officer will document the orientation in the Inmate Log and have the inmate sign the Inmate Orientation Verification Form which is filed in the inmate's file acknowledging receipt and understanding of the Handbook.

#### C2-26-04 OTHER INMATE TRANSFERS

- A. The CO or On Duty Supervisor will move inmates who are being transferred from another Housing Unit due to disciplinary or administrative sanctions to other rooms and Housing Units when space is available and when staff is available.
- B. If an inmate is being transferred from another facility, See "2-20 INMATE INTAKE AND CLASSIFICATION" for procedures.

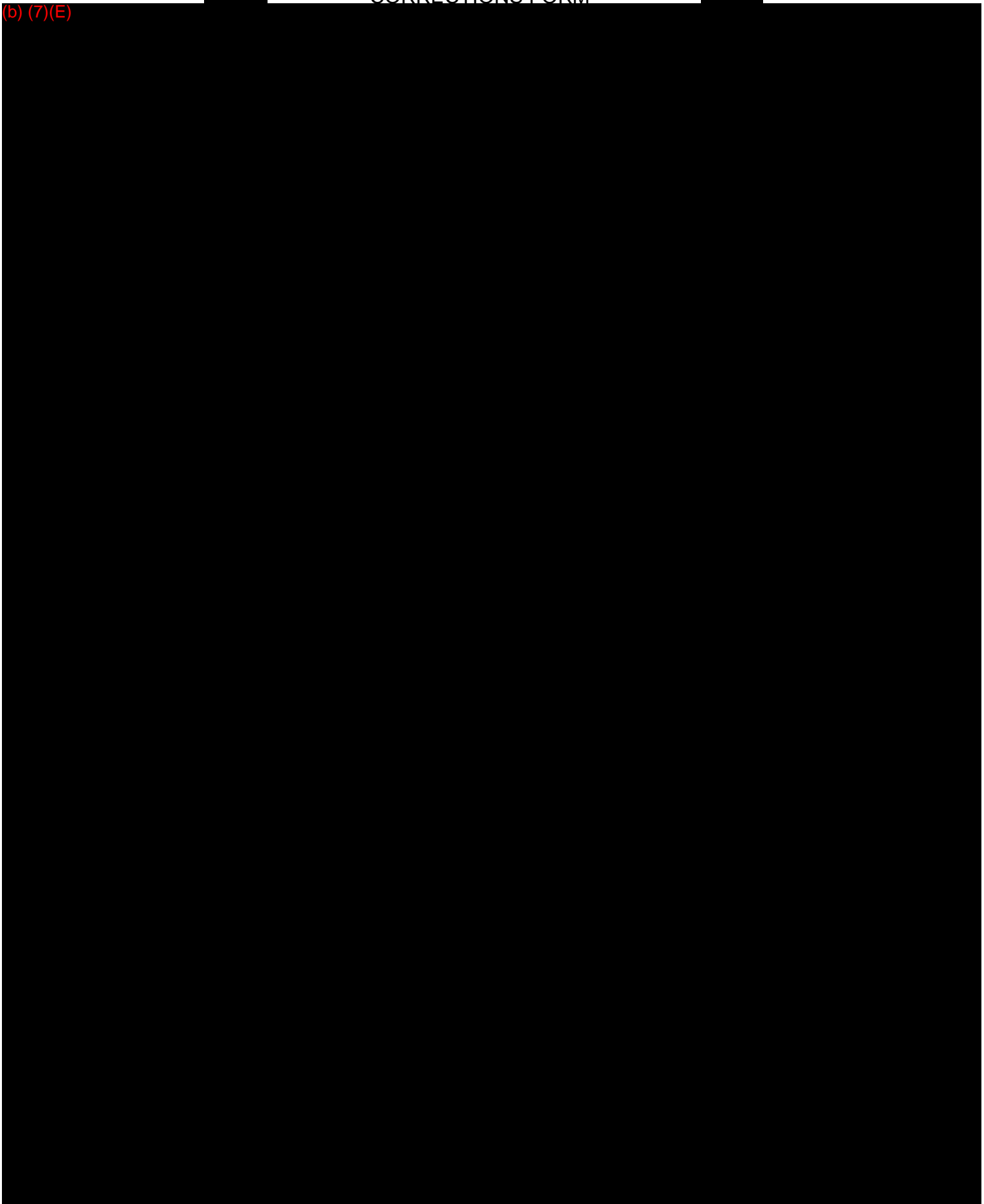
BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

(b) (7)(E)



BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

(b) (7)(E)





BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

(b) (7)(E)



(b) (7)(E)



Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-4B-01; 4B-02; 4B-03; 5A-01; 5B-01; 5B-02; 5B-03; 5C-01; 5C-04; 5C-06; 6A-01, 6A-03;

## C2-27 PROGRAMS AND SERVICES FOR INMATES

### POLICY

OJS Detention Facilities will actively seek to provide a variety of programs for inmates. Inmates are encouraged to participate in activities which serve to enhance their mental and physical health and to provide skills for successful re-integration into the community.

Programs may include but are not limited to education, community services, recreation, religion, behavioral health, and chemical dependency services. In the event that outside services are not available, videos, brochures, etc. will be made available, when possible.

Inmate access to health care, programs, services, and activities is not precluded by inability to pay.

Inmates are allowed a minimum of one hour of large muscle activity and one hour of structured leisure time activities seven days a week to maintain inmate's physical and mental health.

Detention facilities will make every reasonable attempt to facilitate the free, voluntary exercise of religious beliefs of and by inmates, to fulfill religious needs, and to provide spiritual support to the inmate, within the security constraints required by the facility.

In order to maintain community ties and to allow contact with the Courts and counsel, inmates may have access to telephones and outgoing mail, according to each facilities internal policy as outlined in the Inmate Handbook.

The detention facility will offer inmates the opportunity to maintain ties with their families, friends, and the community by allowing inmate visiting times within the security constraints required by the facility and as outlined in the Inmate Handbook.

In order to allow inmates' access to professionals (attorneys, medical staff, etc.), detention facilities will allow daily professional visits. Any limitations set on professional visits will only be enforced to maintain the order and security of the facility.

Detention facilities may allow inmates to have special visits to facilitate situations of unusual circumstances not addressed by normal visiting procedures such as a death in the family.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-4B-01; 4B-02; 4B-03; 5A-01; 5B-01; 5B-02; 5B-03; 5C-01; 5C-04; 5C-06; 6A-01, 6A-03;

## RULES AND PROCEDURES

### C2-27-01 COMMUNITY SERVICE

- A. Inmates may participate in Community Service programs as directed by the Court having jurisdiction to allow inmates to repay the community for some of the cost relative to incarceration and to create a sense of community values.
- B. Each Facility SCS will work with their respective Court in accordance with Tribal Code to offer community service, as defined by the Court and the Tribe.
- C. Criteria to be considered include classification of inmates, equipment needed, weather conditions, only officially sanctioned programs as authorized by the Courts, paperwork to include Court Order, inmate worker rules following facility policies and using sound officer judgment.

### C2-27-02 OTHER INMATE PROGRAMS

- A. Other Inmate Programs may be provided based on available resources.
- B. Program Development
  1. The Facility SCS and staff will assess the needs of the inmates.
  2. The Facility SCS will work with Tribal and Governmental entities to gain resources to provide staffing and the equipment necessary to implement the following programs as staff and resources permit:
    - a. Social Services,
    - b. Religious Services, including traditional religious practices and ceremonies,
    - c. Recreational and leisure time activities,
    - d. Counseling Services, including group, individual, and crisis intervention,
    - e. Library Services,
    - f. Educational Programs,
    - g. Substance abuse programs,
    - h. Work programs,
    - i. Cultural Programs, including cultural awareness, identity, education and history,
    - j. Arts and Crafts programs, and
    - k. Vocational Programs.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-4B-01; 4B-02; 4B-03; 5A-01; 5B-01; 5B-02; 5B-03; 5C-01; 5C-04; 5C-06; 6A-01, 6A-03;

3. The Program Coordinator will identify and recruit community resources to deliver Programs.
4. The District SCS will document the goals, objectives, and methods in an annual letter to the Chief of Corrections.
5. The Chief of Corrections will review the programs and meet with the District SCS to approve or request revisions.
6. The Facility SCS will revise the programs if needed.
7. The District SCS will approve the programs.
8. The Facility SCS will implement the programs using community resources.
9. Inmates may participate in programs based on their classification, housing assignment, education, and behavior needs as determined by the Facility SCS.
10. Programs that are co-ed will have a detention officer present at all times. Non co-ed programs will be monitored frequently.

#### C. Program Modification

1. The Facility SCS and staff will modify programs based on the needs of inmates.
2. The Facility SCS will forward any modifications to the District SCS for review.
3. The District SCS will review the program modification and, if necessary, meet with the Facility SCS for revision.
4. When the revisions are approved, the Facility SCS will implement the revisions.
5. Staff members will implement the new programs following the Policy and Procedure that address the program.

#### A. Prohibited Inmate Programs/Services

1. Detention Facilities may prohibit the inmates from conducting certain organized programs/services if it interferes with the safety, security, and overall operation of the facility.
2. Housing Officers who observe an inmate conducting a prohibited organized program/service as described above, will stop the program/service and refer the incident to the Facility SCS via an Incident Report.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-4B-01; 4B-02; 4B-03; 5A-01; 5B-01; 5B-02; 5B-03; 5C-01; 5C-04; 5C-06; 6A-01, 6A-03;

## C2-27-03 INCENTIVE PROGRAMS

The Facility SCS may approve an incentive program, based on the potential for modifying behavior, enhancing safety and security, and funding availability. If implemented, all costs will be borne by the facility. Incentives will apply to the entire population, not individuals. Incentives may include Movie Night, popcorn, drinks, etc. If an individual inmate declines or refuses to participate, this decision will be noted and the lack of participation will not be held against the general population of inmates.

## C2-27-04 RECREATION

### A. Inmate Recreation

Facility staff will attempt to provide outdoor recreation when available based on staffing levels, space, weather conditions, and the safety/security of the facility.

### B. Exercise has to be a 1 hour minimum of large muscle activity outside of the cell taking safety and security of staff and the facility into consideration.

### C. A detention officer may lead a non contact physical activity.

### D. Inmate refusal to participate in recreational activities will be noted in the shift log. If an inmate continues to refuse to participate, the Facility SCS, SCO, or LCO will meet with the inmate to determine the reason(s) for non participation. Based on circumstances, alternative recreation times may be provided for certain inmates.

### E. Special Management Recreation

Depending on classification, some inmates may need additional restraints and/or additional staff. The inmate may need to do recreation in their cell or in a day room. These circumstances will be documented on the Shift Log.

### F. Medical Limitations

1. Inmates restricted from using Recreation because of medical concerns will fill out an Inmate Request Form that is forwarded to staff for a medical appointment.
2. A doctor will determine what recreation activity is appropriate and notify the Correctional Officer (CO) in writing.
3. The CO will schedule a time for the inmate to use Recreation.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-4B-01; 4B-02; 4B-03; 5A-01; 5B-01; 5B-02; 5B-03; 5C-01; 5C-04; 5C-06; 6A-01, 6A-03;

## C2-27-05 HAIR CARE SERVICE

- A. In order to maintain inmate personal hygiene and a good appearance, hair care service will be made available to inmates. Inmates may be allowed to cut their own hair using facility clippers and comb or sign a waiver allowing another inmate to cut their hair.
- B. Juveniles must have written consent from a parent or guardian before their hair can be cut.
  - 1. If the inmate is a juvenile and it is the inmate's first hair care at the facility, the Facility SCS will verbally or in writing contact the inmate's parent/legal guardian notifying him/her of the request and document the notification on the Inmate Request Form.
  - 2. If the juvenile's parent/legal guardian objects, the Facility SCS may choose to interview the juvenile to discuss the parent's objection.
- C. Traditional Practices  
Traditional practices will be considered based on safety and security of the staff and facility and available resources.

## C2-27-06 LAUNDRY

- A. At the discretion of the Facility SCS, linen, uniform, and shoe exchange will occur at a minimum of weekly, but may occur more often based on each facility.
- B. In order to promote and maintain sanitary living conditions, inmate clothing and towels will be laundered twice a week and sheets, pillowcases, and blankets will be laundered weekly.
- C. Laundering of Personal Clothing at Admissions
  - 1. The Admissions Officer will determine if the inmate's personal clothes need to be laundered and can be laundered. Generally this is done only when requested by the inmate or for sanitary purposes as determined by the Facility SCS.
  - 2. The Admissions Officer will note on the Property Form any clothing that was laundered.
- D. Contaminated Laundry
  - 1. If a staff member believes that facility issued items are contaminated with blood, he/she will put on plastic gloves, place the item in a bio-hazard bag and contact the On Duty Supervisor to have the item taken to a pre-designate disposal facility for disposal.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-4B-01; 4B-02; 4B-03; 5A-01; 5B-01; 5B-02; 5B-03; 5C-01; 5C-04; 5C-06; 6A-01, 6A-03;

2. If staff believes that personal clothing is contaminated with blood or bodily fluids, he/she will obtain a trash bag, put on plastic gloves, place the clothing in the trash bag, affix a label marked "contaminated", and write the inmate's name on the label. Staff will use universal precautions when handling contaminated clothing.
3. If the clothing is needed as evidence by law enforcement, staff will maintain the chain of custody by following proper handling guidelines for evidence. The clothing will be turned over to law enforcement as soon as possible. Clothing will not be laundered in this case.
4. Staff will obtain plastic gloves and, pick up the items and return to Laundry.
5. The Laundry Worker will wash the laundry in hot water (depending on the fabric) separately from other laundry, and dry the laundry, separately from other laundry.
6. The Laundry Worker will clean the laundry cart, if used.

#### E. Institutional Issued Shoe Replacement

Issued shoes will be exchanged on a weekly basis so they can be washed and re-used.

### C2-27-07 LIBRARY

#### A. Library Inventory and Access

1. The Facility SCS will establish criteria for selection of library materials.
2. The designated staff will ensure adequate and diverse supplies of books are available to inmates by acquiring books from various sources and rotating new books through the book carts.
3. Donated items are acceptable and can be solicited for the benefit of the inmates at the facility. All donated materials must be approved by the Facility SCS and a file will be created containing a list of all donated items.
4. The Inmate Handbook will describe the process for checking out and checking in library materials.
5. Inmates will select reading materials that they wish, but keep no more than two books per inmate per room and one Bible or religious publication.
6. Inmates will check out books on the Library Check-Out Form.
7. Inmates will return books by signing them in on the Check-Out Form and placing them back on the appropriate shelf.
8. The designated staff member will check for any damaged books and remove them from use.



Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-4B-01; 4B-02; 4B-03; 5A-01; 5B-01; 5B-02; 5B-03; 5C-01; 5C-04; 5C-06; 6A-01, 6A-03;

## B. Ordering Books

1. Inmates may order or have books sent directly from the publisher or a bookstore at his/her expense. All titles must be approved by the Facility SCS prior to placement of any order. Certain publications are prohibited.
2. The Detention Facility will receive and process incoming books, which includes a review of the book, following Mail procedures.

## C. Law Library Request

1. If needed legal material is not available in the facility, the inmate will complete an Inmate Request Form to the applicable court.
2. The Facility SCS will review the request and forward the Inmate Request Form to the applicable court for action.

## E. Use of Stand Alone Computers

Computers may be made available for use by inmates following IT and BIA policies when supervised by staff and when not connected to any network, intranet, or internet.

## C2-27-08 MAIL

- A. To ensure the maintenance of ties with family, friends, attorneys, courts, and the community, inmates of the Detention Facility can send and receive mail. Procedures are described in the Inmate Handbook.

- B. Staff will not personally send out or receive inmate mail.

## C. Inmate/Staff Communication

Inmates will correspond with staff using Inmate Request Forms.

## D. Outgoing Mail

1. The inmate will request writing utensils, paper, and an envelope from the Housing Officer.
2. The Housing Officer will provide the requested materials, giving one piece of paper and one envelope at a time.
3. The Housing Officer will log writing utensils checked out on the Check-Out Form.
4. For privileged mail, inmate and staff follow Procedure F of this directive.
5. The inmate will write his/her letter and put it in an unadorned envelope; but will not seal it, and complete the proper return address and sending address.
6. The inmate will give the unsealed envelope to the Housing Officer.
7. The Housing Officer will document materials provided to inmate in the Inmate Log.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-4B-01; 4B-02; 4B-03; 5A-01; 5B-01; 5B-02; 5B-03; 5C-01; 5C-04; 5C-06; 6A-01, 6A-03;

8. The Housing Officer will inspect the letter for contraband by unfolding each piece of paper and shaking it out.
9. The Housing Officer will observe the return and recipient address are legible, that no graphics are visible, and that the letter is not addressed to an inmate in another institution. The return address will always be the facility address.
10. If the Housing Officer finds a letter addressed to an individual in another institution, he/she will notify the inmate that the letter can only be mailed when approved by the Facility SCS/SCO and will give the letter to the On Duty Supervisor.
11. The Housing Officer will use the housing notebook to look for documentation (i.e. Court Order, Judgment, and Disposition) stating that the inmate may not have contact with specific individuals and see that the letter is not addressed to a restricted individual.
12. The Housing Officer will log out the mail on the Mail Log, seal the letters, and place them in a secured location in the workstation.
13. The Detention Facility will provide the needed postage, if not already stamped.

#### E. Incoming Mail

1. Each day, excluding weekends and holidays, the Law Enforcement Assistant or staff will pick up the mail from the US Post Office and sort through the mail, separating juvenile mail from adult inmates and staff mail.
2. If the inmate is no longer present and it is first class mail, the On Duty Supervisor will retrieve the inmate's file to find a forwarding address with the release paperwork, write the forwarding address on the envelope, and place it with the outgoing mail. If it is not first class mail, the On Duty Supervisor will place the letter in the inmate's file after mail distribution.
3. The On Duty Supervisor will sort privileged mail from regular mail.
4. The On Duty Supervisor will inspect non-privileged mail for contraband by unfolding each piece of paper and shaking it out. If the On Duty Supervisor believes there is contraband, he/she will complete Procedure I of this policy. Illegal contraband will be referred to Law Enforcement for investigation. Reviewing mail can include scanning or full reading of mail, based on SCS approval and facility policy.
5. If the On Duty Supervisor finds stamps or a calling card, he/she will remove the items from the envelope to give to the Housing Officer and note on the envelope what was received.
6. When the On Duty Supervisor finds items the inmate cannot have, he/she will notify the inmate in person and handle the item as follows:
  - a. return cash, money orders, cashier's checks or government checks to the sender at the Agency's expense, notifying the sender in writing that money is not accepted at the Detention Facility,

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-4B-01; 4B-02; 4B-03; 5A-01; 5B-01; 5B-02; 5B-03; 5C-01; 5C-04; 5C-06; 6A-01, 6A-03;

- b. return mail sent from individuals in other institutions, unless there is a memo from the Facility SCS approving the correspondence, and notify the inmate of the rejected mail,
- c. for items that are not allowed in the inmate's possession including books, publications not received directly from the publisher, etc., follow specified procedures and
- d. for publications received directly from the publisher follow specified procedures.

7. The On Duty Supervisor will bring the mail to the Housing Unit and give it to the Housing Officer.
8. The Housing Officer will log mail in the Mail Log.
9. The Housing Officer will distribute privileged mail following proper procedure.

#### F. Outgoing Privileged Mail

1. The inmate and Housing Officer will follow steps 1 - 4 of Procedure A.
2. The inmate will write a letter, put it in an unadorned envelope, seal it, and complete the proper return address (The return address will always be the facility address) and sending address.
3. The inmate will give the sealed envelope to the Housing Officer.
4. The Housing Officer will check the housing notebook to see if the inmate has any stamps. If he does have a stamp, the Housing Officer will put the stamp on the envelope in front of the inmate and inform the inmate of how many stamps he has left.
5. If the inmate does not have any stamps and the Housing Officer sees that the envelope is addressed to a Court, Probation Staff, Counsel, Prosecutors Office, or Law Office, the mail is eligible for postage and the Housing Officer will document this in the Inmate Log.
6. The Housing Officer will log privileged mail in the Mail Log and place it in a secured location in the workstation.
7. Before the end of the day shift, the On Duty Supervisor will pick up the letters from the Housing Units and put them in the outgoing mail box.
8. The Law Enforcement Assistant will take mail in the morning to the Post Office.
9. The Facility will provide the needed postage.

#### G. Incoming Privileged Mail

1. When the inmates are in the Housing Unit, the Housing Officer will bring the privileged mail to the inmate and open it in front of the inmate, inspecting for contraband by shaking the letter out, but not reading the letter.
2. The Housing Officer will hand the privileged mail to the inmate.

Effective: 01/01/2012 Revised:  
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3. The Housing Officer will ask the inmate if they wish to discuss their mail only if they note a reaction to the contents of the letter.

#### H. Mail Contraband

1. The On Duty Supervisor will decide if there is probable cause to read the mail. It should be read if he/she believes there is reliable information that there is a threat to order, safety, or security or that it is being used to further illegal activities.
2. The On Duty Supervisor will inspect the mail, read it if it is necessary and document this in an Incident Report.
3. The On Duty Supervisor will initiate appropriate action based upon what is found.
4. If no contraband is found, the On Duty Supervisor will continue with the routine mail processing.

#### I. Property Received in Mail

1. When the On Duty Supervisor tells the inmate about an item received in the mail that he/she may not have in his/her possession, he/she will ask the inmate if he/she wants to release the item for an individual to pick up and if so to whom.
2. The On Duty Supervisor will contact the person to pick-up the item.
3. If the person wants to pick up the item, the On Duty Supervisor will complete the Receipt For/Release of Funds or Property.
4. If no one is available to pick-up the item or the inmate does not wish to designate the item, staff will place the item in the safe or other secure area with a Receipt For/Release of Funds or Property.

#### J. Books Received from Publisher

1. The On Duty Supervisor will ensure that the book was sent directly from the publisher.
2. The Volunteer Coordinator will forward a copy of the memorandum to the inmate and to the inmate's file.
3. The On Duty Supervisor follows procedure I.

### C2-27-09 NOTARY SERVICE

- A. The Detention Facility SCS may designate a staff member to become a Notary and provide free notary services to inmates in order to provide inmates with a means of having documents notarized.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-4B-01; 4B-02; 4B-03; 5A-01; 5B-01; 5B-02; 5B-03; 5C-01; 5C-04; 5C-06; 6A-01, 6A-03;

## C2-27-10 PERSONAL HYGIENE ITEMS

- A. In order to maintain inmate personal hygiene all inmates are provided with basic hygiene items at admission and with replacements as appropriate including items specifically needed for females. Inmates are allowed freedom in personal grooming except where a valid detention facility interest justifies otherwise.
- B. The Admissions Officer will provide a new inmate, who is dressed out and is sober, with a Detention Grade personal hygiene packet (clear containers, no alcohol) that may consist of the following:
1. Flexible comb or Brush,
  2. Deodorant,
  3. Hand and body soap,
  4. Flexible/short toothbrush,
  5. Toothpaste
  6. Shampoo
  7. Lotion
  8. Chap stick-Lip balm (if requested and approved)
  9. Female hygiene products for females
- C. Personal Hygiene Item Replacement
1. The inmate will show the Housing Officer a personal hygiene item that needs to be replaced.
  2. The Housing Officer will retrieve the old item from the inmate and replace the item using the supplies in the Housing Janitor Closet.
  3. The Housing Officer will record this on the Inmate Log.
- D. Nail Clippers
1. The Housing Officer will store a detention approved nail clipper in a secure manner at the workstation.
  2. An inmate seeking use of a nail clipper will make a request to the Housing Officer.
  3. The inmate will return the nail clipper to the Housing Officer.
  4. The Housing Officer will complete the Check-Out Sheet, sanitize the clipper, and place the nail clipper in the locked workstation and sign in the nail clippers.
- E. Razors
1. The Housing Officer will store detention approved disposable razors in a secure manner at the workstation. These razors will be examined by a CO before and after use.
  2. Used disposable razors will be placed in a Sharps container for disposal.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-4B-01; 4B-02; 4B-03; 5A-01; 5B-01; 5B-02; 5B-03; 5C-01; 5C-04; 5C-06; 6A-01, 6A-03;

3. The Housing Officer will closely observe the use of razors by inmates in Special Management.

#### F. Hand/Body Lotion and Shampoo/Dandruff Shampoo

When an inmate needs hand / body lotion or shampoo/dandruff shampoo, he/she will verbally request the needed item from the Housing Officer.

### C2-27-11 TELEPHONE

#### A. Regular Telephone Use

1. No incoming calls to inmates are allowed.
2. The Housing Officer has the authority to permit telephone use at designated times.
3. If the inmate has a calling card he/she wishes to use, the inmate will request it from the Housing Officer.
4. The Housing Officer will obtain the inmate's calling card from the housing notebook and give it to the inmate.
5. The Housing Officer will monitor the use of the telephone to ensure that inmates do not monopolize the telephone, use threatening language, physically abuse the telephone, or disrupt the Unit.
6. If the Housing Officer observes any misuse of the telephone, he/she will instruct the inmate to stop the behavior and give the inmate a verbal warning. The Housing officer has the final authority regarding phone use and his/her decision is not grievable.
7. If the inmate refuses to cooperate, the Housing Officer will verbally notify other staff to respond to the Housing Unit for assistance and hang up the telephone.
8. The Housing Officer will determine if a rule violation has been committed and initiate disciplinary action, if appropriate.
9. The Housing Officer will monitor the length of the telephone call.
10. Inmates will be allowed to use a non-collect phone for attorney and other legal calls by filling out an Inmate Request Form and giving it to the Housing Officer.
11. If someone is waiting to use the telephone and there is a disagreement about the time the inmate has been on the phone, the Housing Officer will give the inmate a two-minute warning to end the call.
12. If the inmate on the telephone does not end the call within this two-minute time period, the Housing Officer will give a warning and then initiate the disciplinary process.
13. The inmate will return the calling card to the Housing Officer when the call is completed.
14. The Housing Officer will not permit telephone use other than at the designated times, unless approved in writing by the On Duty Supervisor.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-4B-01; 4B-02; 4B-03; 5A-01; 5B-01; 5B-02; 5B-03; 5C-01; 5C-04; 5C-06; 6A-01, 6A-03;

## B. Incoming Emergency/Professional Telephone Calls

1. The Control/Dispatch Officer will take a message for any incoming emergency calls for inmate and/or calls from professionals.
2. The Control/Dispatch Officer will forward the message to the inmate's Housing Officer.
3. The Housing Officer will verbally notify the inmate of the call.
4. The inmate may return the call following procedure A or B.
5. If an emergency telephone call from an inmate's family member is received, the Control/Dispatch Officer will transfer the call to Facility staff.
6. The Facility staff member will determine the nature of the emergency (serious illness or injury or death of a family member) and take a message, getting the caller's name and a method of contacting the caller. The emergency will be verified before authorizing a return call by the inmate.
7. A return call may be authorized, based on facility policy and the nature of the emergency.
8. Staff should be prepared to assist the inmate if bad news is received.

## C. Special Telephone Calls

1. If an inmate needs to use the telephone outside of normally scheduled hours or if the call cannot be made collect, he/she will complete an Inmate Request Form.
2. The On Duty Supervisor will review the Inmate Request Form and contact the person being called to verify the time of the call and if this is, in fact, the only time when contact can occur.
3. If approved, the On Duty Supervisor will advise the Housing Officer of the special arrangements and the Housing Officer will note the arrangement in the Post Log.
4. The Housing Officer will monitor the phone call for appropriate behavior.
5. When the inmate is finished, the Housing Officer will escort the inmate back to the Housing Unit.
6. The Housing Officer will document the call on the Inmate Log and continue to monitor the inmate for emotional reaction.

## C2-27-12 VISITATION, PERSONAL

### A. Scheduling a Visit

1. The Facility SCS will develop specific guidelines for managing visitation at his/her facility to ensure the safety of visitors, staff, and inmates.
2. The Facility SCS will identify and post day(s) and time(s) during normal work hours for personal visitation.
3. The Facility SCS will designate one or more staff members to handle requests for visitation received by phone or correspondence.

Effective: 01/01/2012 Revised:  
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4. Individuals requesting visitation will be given the time(s) available and will be asked whom they wish to visit.
5. The staff member will determine whether the inmate will be in the facility at the time the visitation is requested and advise the requesting individual that he/she will be required to fill out an Inmate Visitation Request form upon arriving at the facility. The staff member will log the visitation request on the appropriate calendar/log.
6. The staff member will inform the inmate's Housing Officer of the scheduled visit(s) by providing a copy of the visitor calendar/log. The Housing Officer will inform the inmate of the scheduled visit and If the inmate denies the visit, the Housing Officer will contact the designated staff member who will contact the visitor and cancel the visit.

#### B. Visitor Registration

1. When a personal visitor arrives at the Detention Facility, he/she will be asked to complete an Inmate Visitation Request form.
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3. (b) (7)(E) [Redacted]
4. (b) (7)(E) [Redacted]
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#### C. Conducting a Visit

1. Following facility procedures, the inmate will be escorted to the visitation room.



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BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-4B-01; 4B-02; 4B-03; 5A-01; 5B-01; 5B-02; 5B-03; 5C-01; 5C-04; 5C-06; 6A-01, 6A-03;

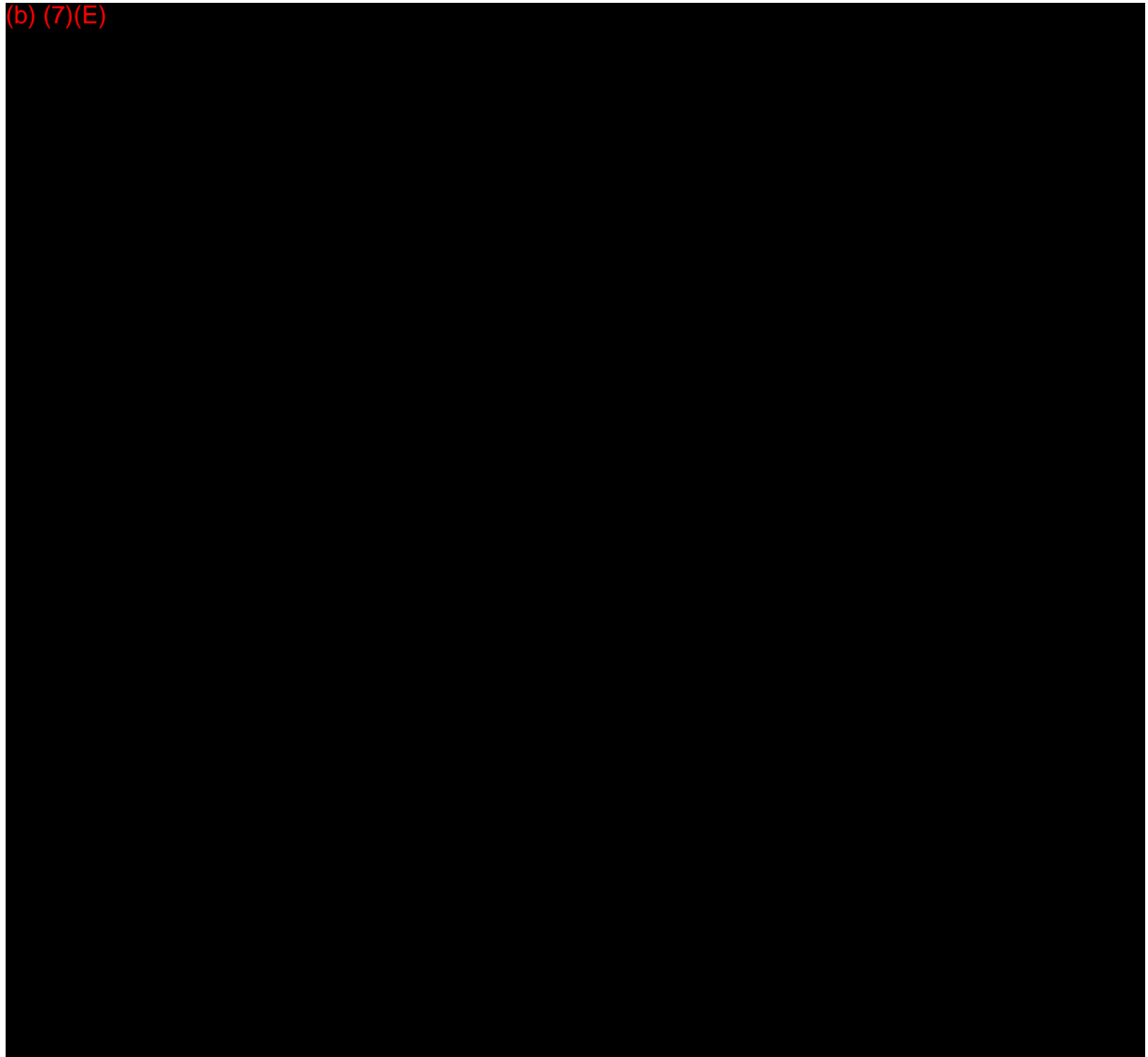
2. (b) (7)(E) [REDACTED]
3. If a visitor behaves inappropriately, the staff member will escort him/her to the Lobby.
4. (b) (7)(E) [REDACTED]
5. (b) (7)(E) [REDACTED]
6. At the conclusion of the visit, the staff member will allow and observe a brief hug, kiss, and/or handshake and will then unlock the visiting room door and secure it after the last visitor has left.
7. Visitors will be escorted to the lobby where their identification will be returned to them, immediately prior to their departure.
8. For safety and security, visitations can be cancelled or terminated at any time.

D. Personal Search of Visitors

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Effective: 01/01/2012 Revised:  
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## C2-27-13 VISITATION, PROFESSIONAL

### A. Visitor Registration

1. When a professional visitor arrives at the Detention Facility, he/she will contact the assigned staff member and inform him/her of the name of the inmate he/she is there to visit.
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B. Conducting a Professional Visit

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C2-27-14 VISITATION, SPECIAL

A. Inmate Requested Special Visit

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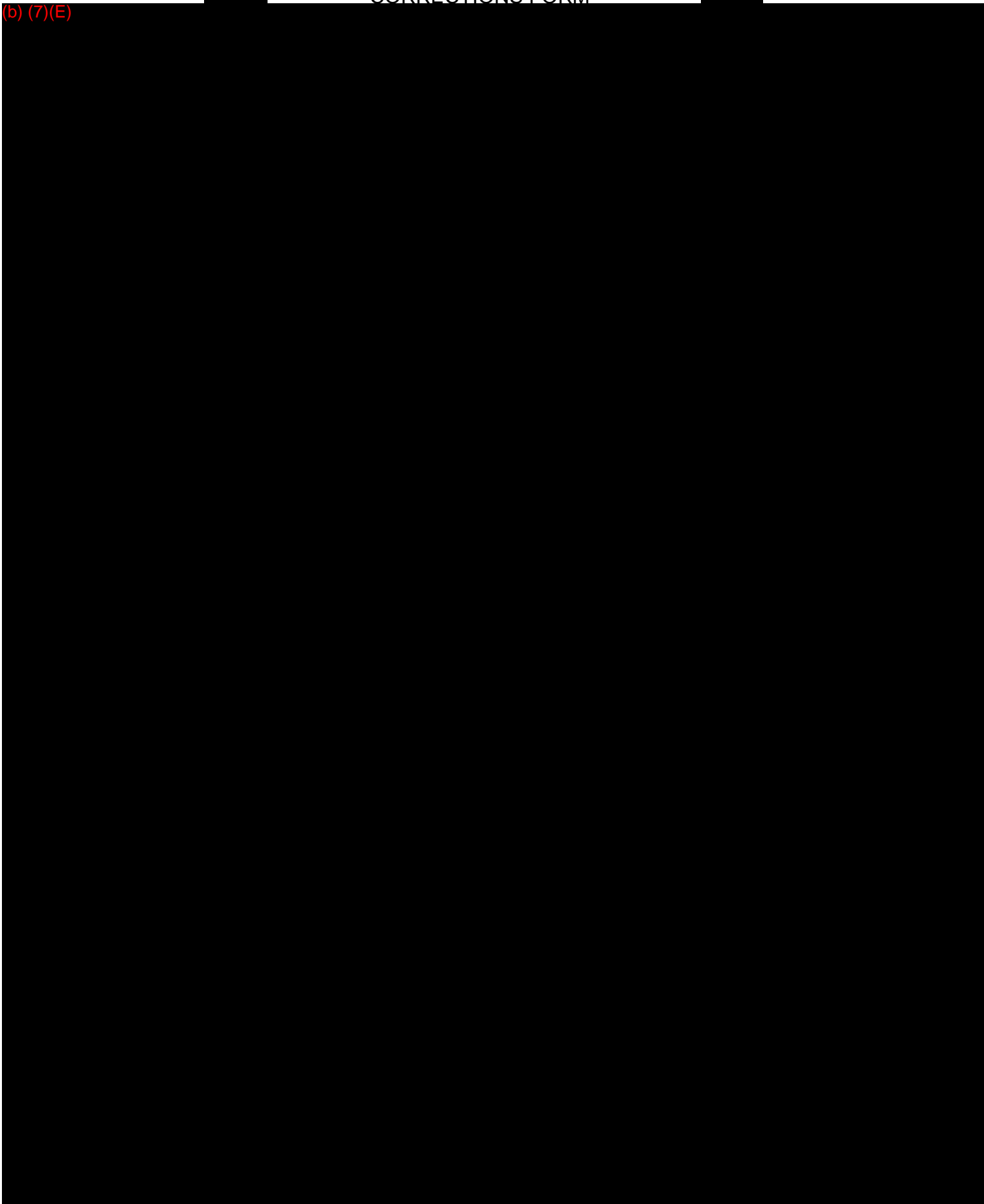
B. Visitor Requested Special Visit

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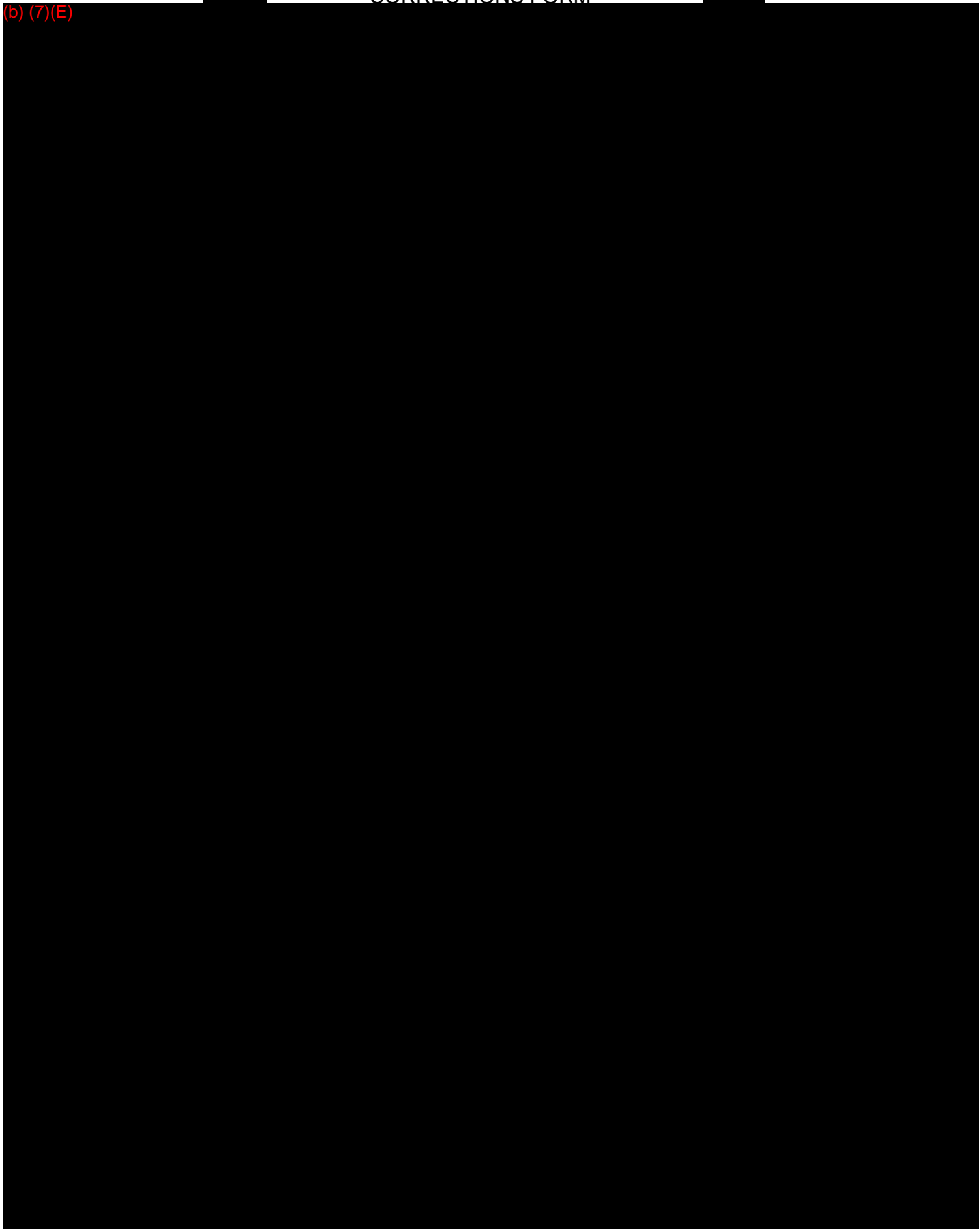
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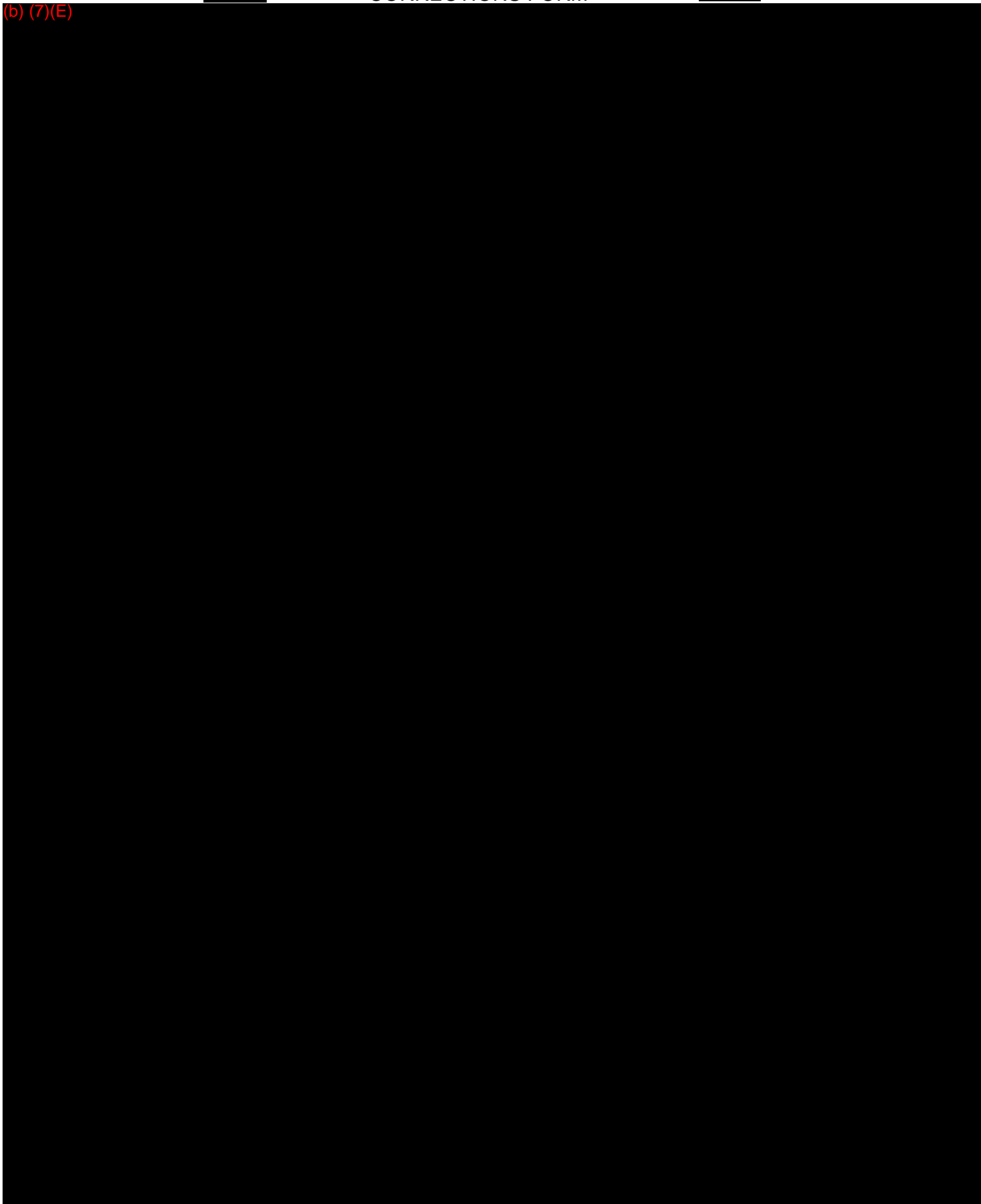
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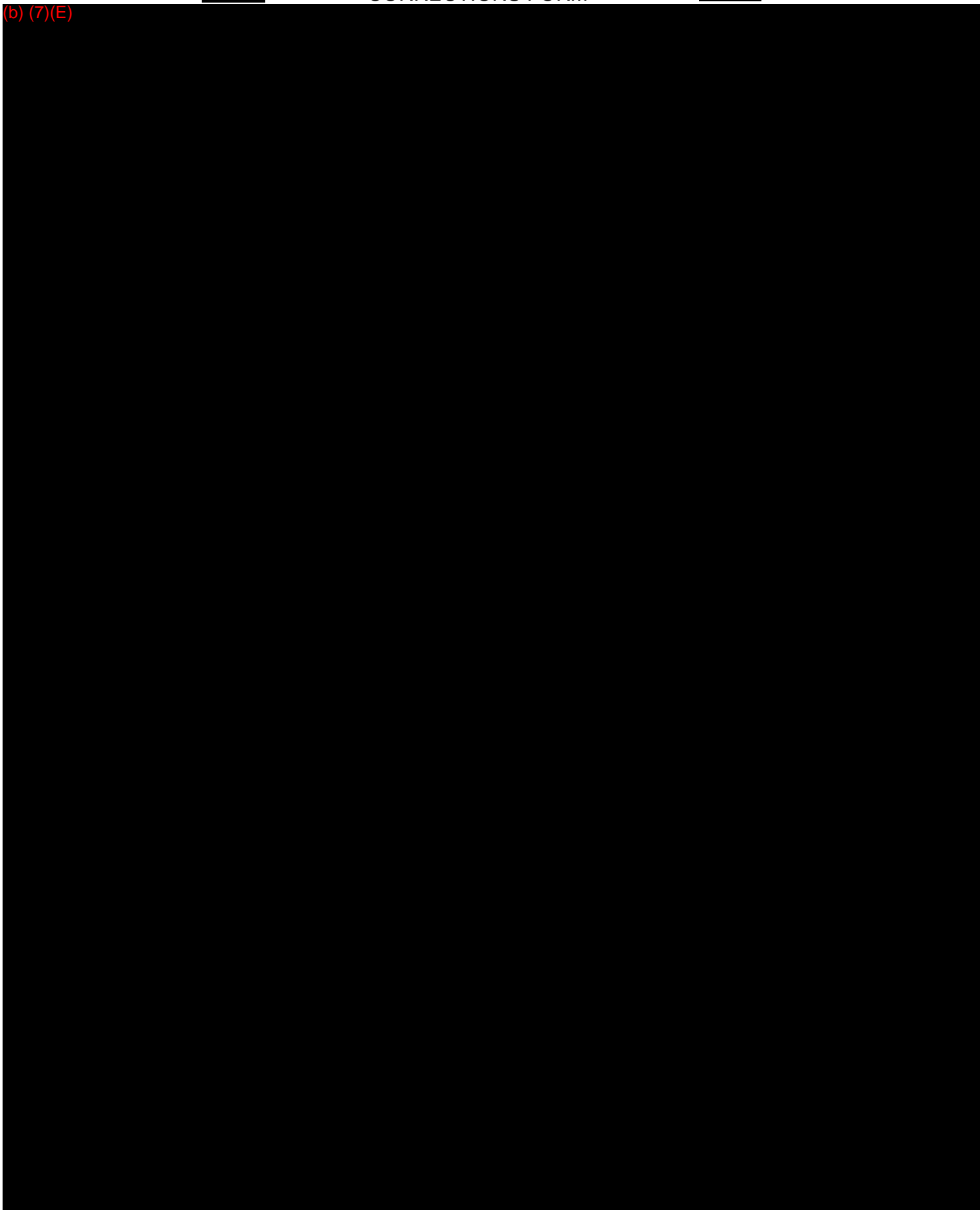
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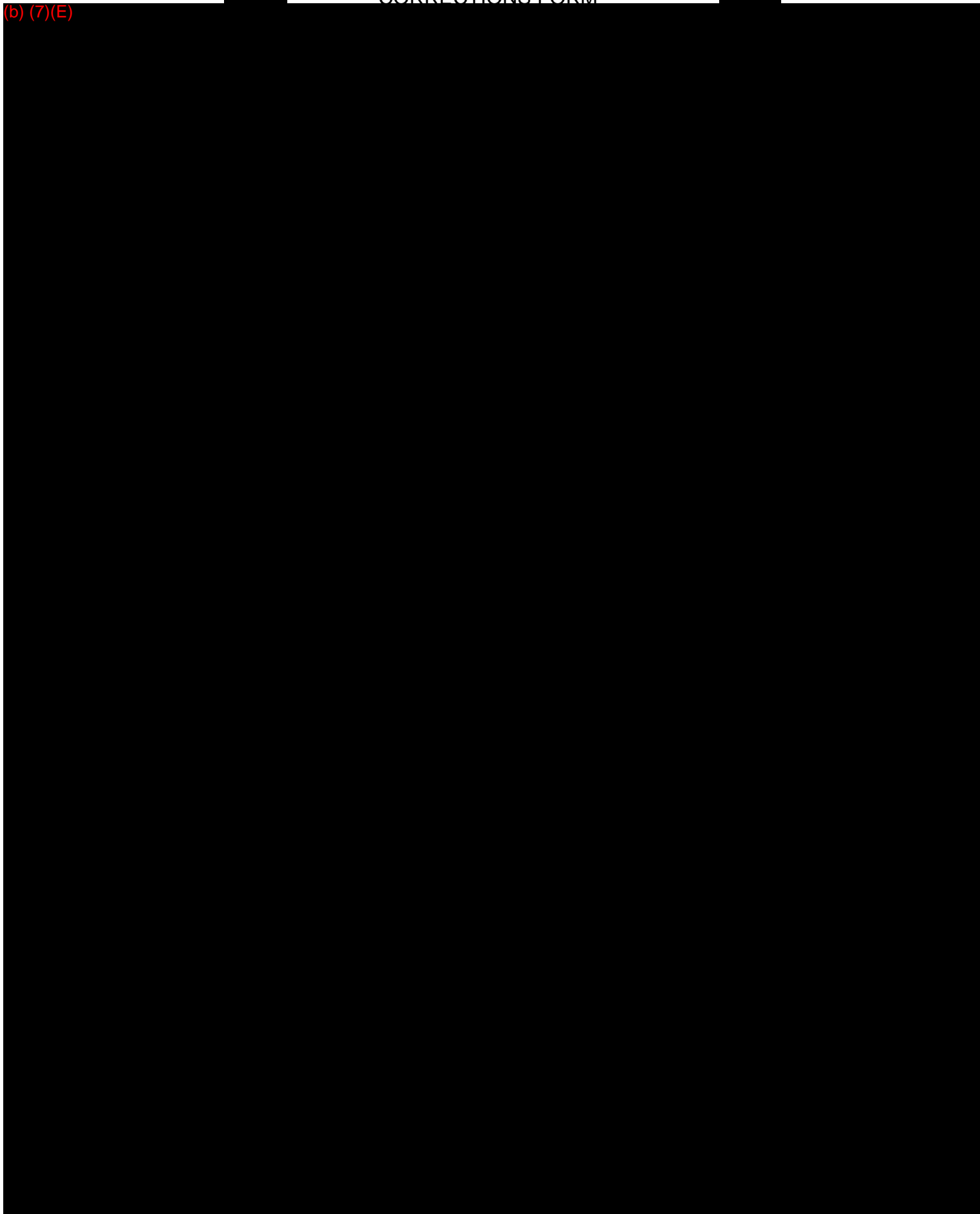
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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-6B-01;

## C2-29 INMATE RULES, DISCIPLINE, AND GRIEVANCES

### POLICY

In order for a Detention Facility to operate in a safe, secure, and orderly manner, the facility will enforce its established written rules, sanctions, and accompanying disciplinary procedures in an impartial and consistent manner.

The Detention Facility will implement an administrative grievance process which allows Inmates to seek timely solutions to legitimate grievances without fear of reprisal, which allows the facility to identify and resolve operational problems, and helps to maintain a stable environment for the Inmate population.

### RULES AND PROCEDURES

#### C2-29-01 GENERAL

Correctional Officers (CO) will attempt to handle problems/complaints on an informal basis as an administrative function whenever possible.

#### C2-29-02 DEVELOPMENT OF REGULATIONS, RULES, AND SANCTIONS

- A. The Directorate of Operations Corrections Handbook contains disciplinary regulations, rules and sanctions as well as the Inmate Handbook.
- B. The Chief of Corrections should be consulted if a disciplinary regulation, rule or sanction is not clear.
- C. The Facility SCS will insure that the regulations, rules, and sanctions in the Handbook and Inmate Handbook are followed.
- D. A staff member will review the Inmate Handbook including regulations, rules, and sanctions with all new inmates and document this review.

#### C2-29-03 ADDRESSING RULE VIOLATIONS

A staff member who observes an inmate committing a rule violation will determine if it is a minor or major rule violation and implement the appropriate procedures. See C2-31 Minor and Major Violations.

#### C2-29-04 INMATE GRIEVANCE PROCESS NOTIFICATION

- A. All Detention Facility staff members are trained to know and understand the facility rules and regulations and the rights guaranteed to the Inmates.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-6B-01;

- B. Using the Inmate Handbook at the time of orientation, a Detention Facility staff member will advise the Inmate of the grievance process.
- C. An Inmate who has a grievance will initiate the grievance with the Detention Facility staff.
- D. Staff members will attempt to resolve the grievance in an informal manner.
- E. If the Inmate is not satisfied with the resolution presented, the Detention Facility staff will instruct the Inmate that the staff can provide a Grievance Form and will do so if requested by the Inmate.
- F. Staff will document the attempt to informally resolve the grievance on the Inmate Log.

#### C2-29-05 GRIEVANCE PROCESS

- A. A staff member will provide the inmate with a Grievance Form, instruct the Inmate on how to fill out the Grievance Form, and to detail his/her attempt at informal resolution.
- B. If the Inmate cannot write or does not understand how to complete the Grievance Form, he/she will state his/her grievance to the staff member or another Inmate, who will complete the Grievance Form by writing verbatim what is said. Staff will not give advice as to what the Inmate should say.
- C. If staff or another Inmate completes the Grievance Form for the Inmate, the recording individual will read the completed Grievance Form back to the Inmate to ensure that the statement has been properly recorded.
- D. The staff member or another Inmate will make any corrections to the Grievance Form until the Inmate is satisfied that the Grievance Form is correct.
- E. When the Grievance Form has been completed to the satisfaction of the Inmate, the staff member will immediately forward the Grievance Form to the On Duty Supervisor.
- F. The On Duty Supervisor will read the Grievance Form at his/her earliest opportunity, but always by the end of the shift.
- G. If, at any time the Inmate wishes to withdraw the grievance before completion of the process, he/she will fill out and sign an Inmate Request Form stating that he/she is withdrawing from the grievance process, stating the reasons why and present it to the On Duty Supervisor.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-6B-01;

- H. The On Duty Supervisor will forward the Grievance Form to the Facility SCS by the end of the shift it was received. If the On Duty Supervisor determines that the grievance is life-threatening, the On-Duty Supervisor will contact the Facility SCS verbally to provide information.
- I. The Facility SCS will review the Grievance Form, sign the Grievance Form, indicate on it the time and date of receipt, and assign it a priority.
- J. The Facility SCS will complete the inmate file number and Admissions number portion of the Grievance Form.
- K. The Facility SCS will address the grievance in accordance with priority and the order received, but always within 7 working days.
- L. As soon as possible after reading the Grievance Form, the Facility SCS will determine if he/she can resolve the grievance or if the grievance should be forwarded to other staff.
- M. If the Facility SCS forwards the Grievance Form to other staff, he/she will notify the staff member that a response is needed within 7 days.
- N. If the Facility SCS handles the grievance, he/she will interview the Inmate who filed the grievance, any staff member against whom it was filed, and any other individual or individuals who may have information about the incident or issue being grieved.
- O. In addition to interviewing staff, the Facility SCS will ask the involved staff to write a response to the grievance on an Incident Report, or involved staff may initiate a written response without being asked.
- P. After thoroughly investigating and researching the incident or issue being grieved, the Facility SCS will complete the appropriate section of the Grievance Form. The Facility SCS will provide a detailed statement of the findings of his/her investigation.
- Q. If the Grievance Form was forwarded to another staff member, the staff member will complete the Resolution of Grievance portion of the Grievance Form, sign and date it, and return it to the Facility SCS.
- R. The Facility SCS will complete the Inmate notification portion of the Grievance Form and keep a copy of the Grievance Form.
- S. The Facility SCS will forward the original of the Grievance Form to the Inmate within five days after receiving the Grievance Form.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-6B-01;

- T. If more time is required to investigate the matter, the Facility SCS will give the Inmate a copy of the Grievance Form, documenting justification for additional time.
- U. The District Corrections SCS will make the final determination on any actions suggested by the Facility SCS.

#### C2-29-06 APPEAL PROCESS

- A. If the Inmate is not satisfied with the decision of the Facility SCS, the Inmate may appeal the decision to the District Corrections SCS within 5 working days.
- B. To appeal the decision of the District Corrections SCS, the Inmate will write his/her appeal on any blank piece of paper.
- C. If the Inmate cannot write, he/she will state his/her appeal to a staff member or another Inmate, who will record it by writing verbatim what is said on the piece of paper.
- D. If staff or another Inmate is recording the Inmate's appeal, the recording individual will read the appeal back to the Inmate to be sure it is accurate.
- E. The Inmate will give his/her appeal to the staff member, who will forward it immediately to the Facility SCS who will forward it to the District SCS along with a copy of the Inmate's original Grievance Form.
- F. Within five days (excluding weekends and holidays) of having received the appeal, the official hearing the appeal will review the entire grievance, beginning with the Grievance Form, and decide whether or not to uphold the decision of the Facility SCS.
- G. The District SCS will complete the appropriate section of the Grievance Form which outlines the results of the Inmate's appeal.
- H. The District SCS will address the Grievance Form to the Inmate who filed the grievance and to the Facility SCS.
- I. The Facility SCS will implement the final determination on any actions recommended by the District SCS.



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-6B-01;

## C2-29-07 REPORTING GRIEVANCES

- A. Within ten days of the end of the month, the Facility SCS will use the Grievance Forms to document the previous month's statistics regarding Inmate grievances in a grievance report which will include information about the total number of grievances filed for the month, the number of grievances by category, the total number of grievances which were upheld and denied, the total number of denied grievances which were appealed, and the results of the appeals.
- B. The Facility SCS will attach to the grievance report copies of each Grievance Form received for the month.
- C. When the grievance report is complete, the Facility SCS will forward it and its attachments to the District SCS and the Chief of Corrections.
- D. The Facility SCS will keep a copy of the grievance report for the period of one year in a file maintained for that purpose.

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BIA-Adult Detention Facility Guidelines December 2010

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BIA ADF-2A-03; 2A-06; 2A-07; 2A-21; 2A-22; 2A-24;

## C2-30 INMATE SUPERVISION

### POLICY

OJS Detention Facility staff supervises the inmates in order to provide appropriate care, custody, and safety for the inmates and the community.

Detention facility personnel monitor and check on inmates to ensure their well-being and to ensure the safety of all inmates, staff, and the community.

No inmate or group of inmates is ever given control, or allowed to exert authority, over other inmates.

All inmate movement from one area to another will be controlled by staff.

### RULES AND PROCEDURES

#### C2-30-01 SUPERVISION OF ACTIVITIES

- A. The assigned Detention Officer will maintain visual supervision of inmates while the inmates are in the Housing Units.
- B. The assigned Detention Officer supervises activities including but not limited to:
  - 1. Dayroom recreation,
  - 2. Housekeeping,
  - 3. Laundry exchange,
  - 4. Leisure Activities,
  - 5. Meals,
  - 6. Showers,
  - 7. Telephones,
  - 8. Television,
  - 9. Any other activity within a Housing Unit.

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-03; 2A-06; 2A-07; 2A-21; 2A-22; 2A-24;

### C2-30-02 CELL CHECKS-DAILY OPERATIONS

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### C2-30-03 LOCKDOWN-UNLOCK-DAILY OPERATIONS

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-03; 2A-06; 2A-07; 2A-21; 2A-22; 2A-24;

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-03; 2A-06; 2A-07; 2A-21; 2A-22; 2A-24;

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C2-30-04 WELLNESS CHECKS

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-03; 2A-06; 2A-07; 2A-21; 2A-22; 2A-24;

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#### C2-30-05 HEAD COUNTS

The Housing Officer will conduct formal and informal head counts.

#### C2-30-06 TELEVISION

The Housing Officer will supervise inmate's use of the television, including monitoring the volume and the programs being watched to ensure they are beneficial to the majority of the inmates watching.

#### C2-30-07 INMATE MAIL

- A. The Housing Officer will receive outgoing mail from inmates and log out the mail.
- B. The Housing Officer will log incoming mail and distribute the mail.

#### C2-30-08 POST LOG

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#### C2-30-09 INMATE LOG

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-03; 2A-06; 2A-07; 2A-21; 2A-22; 2A-24;

## C2-30-10 INMATE REQUEST FORMS

The Housing Officer will provide inmate with Inmate Request Forms if an inmate wishes to make a formal request.


## C2-30-11 STAFF/INMATE COMMUNICATION

The Housing Officer will maximize communication with the inmates throughout the shift in a prompt, courteous, and professional manner.

## C2-30-12 INMATE SCHEDULES

- A. The Housing Officer will receive a list of inmates involved in programs.
- B. The Housing Officer will post program and activity schedules on the housing bulletin board.
- C. The Housing Officer will notify inmates in advance of scheduled activities so the inmates will be ready in advance.
- D. The Housing Officer will log inmates in and out of the Housing Unit, keeping the Movement Log up to date.

## C2-30-13 MONITORING OF ROOM CONTENTS

- A. The Housing Officer will monitor the contents of the rooms to see that only allowed items are in the room.
- B. (b) (7)(E)  

- C. If the Housing Officer finds excess items or contraband, he/she will initiate appropriate action which may include discipline.

## C2-30-14 INMATE HELPER

- A. The Housing Officer may designate an inmate as an Inmate Helper for specific tasks including but not limited to:
  - 1. assisting with laundry exchange,
  - 2. obtaining the evening snack,
  - 3. assisting with meal preparation (i.e. setting up tables and chairs),
  - 4. putting out supplies, games, etc.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-03; 2A-06; 2A-07; 2A-21; 2A-22; 2A-24;

B. The Housing Officer will monitor the inmate as he/she assists the Housing Officer with the task but will not conduct tasks that are personally beneficial to the officer.

C2-30-15 PROTECTIVE CUSTODY

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-03; 2A-06; 2A-07; 2A-21; 2A-22; 2A-24;

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### C2-30-16 MEDICAL PLACEMENT/REMOVAL

(b) (7)(E)

### C2-30-17 PLACEMENT OF AN INMATE WITH COMMUNICABLE DISEASES

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(b) (7)(E)





Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-3A-01; 6C-01; 6C-02; 6C-03; 6C-04;

C2-31

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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-3A-01; 6C-01; 6C-02; 6C-03; 6C-04;

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## RULES AND PROCEDURES

### C2-31-01 INFORMAL PRACTICES FOR MINOR VIOLATIONS

- A. Staff who witness or learn of an inmate committing a violation of one of the minor rules may choose to act in an informal manner in an effort to apply direct supervision and interpersonal communication skills.
- B. Staff may send an inmate who is angry or hostile over a minor rule violation to his/her cell for a cooling off period before proceeding with the process.
- C. Staff may give informal sanctions by informing the inmate of the rule violated, the steps that the inmate can take to correct this behavior, and verbal information that more stringent application of sanctions may result if the rule is violated again.
- D. Staff members do not need to complete a Disciplinary Report for informal handling of a minor violation.
- E. Staff members will log the informal handling of the minor violation on the Inmate Log.

### C2-31-02 FORMAL PRACTICES FOR MINOR VIOLATIONS

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-3A-01; 6C-01; 6C-02; 6C-03; 6C-04;

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-3A-01; 6C-01; 6C-02; 6C-03; 6C-04;

### C2-31-03 MAJOR VIOLATIONS/DISCIPLINARY HEARING

(b) (7)(E)

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### C2-31-04 REPORTING MAJOR RULE VIOLATIONS AND ACTIONS

(b) (7)(E)

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-3A-01; 6C-01; 6C-02; 6C-03; 6C-04;

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-3A-01; 6C-01; 6C-02; 6C-03; 6C-04;

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C2-31-05 PRE-HEARING ACTION

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-3A-01; 6C-01; 6C-02; 6C-03; 6C-04;

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-3A-01; 6C-01; 6C-02; 6C-03; 6C-04;

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### C2-31-06 THE DISCIPLINARY HEARING PROCESS

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-3A-01; 6C-01; 6C-02; 6C-03; 6C-04;

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-3A-01; 6C-01; 6C-02; 6C-03; 6C-04;

(b) (7)(E) [Redacted]

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C2-31-07 HEARING RECORD

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-3A-01; 6C-01; 6C-02; 6C-03; 6C-04;

## C2-31-08 APPEAL PROCESS

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BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

Effective: 01/01/2012      Revised:  
Corrections Form Category \_\_\_\_\_ Form # C2-29-A

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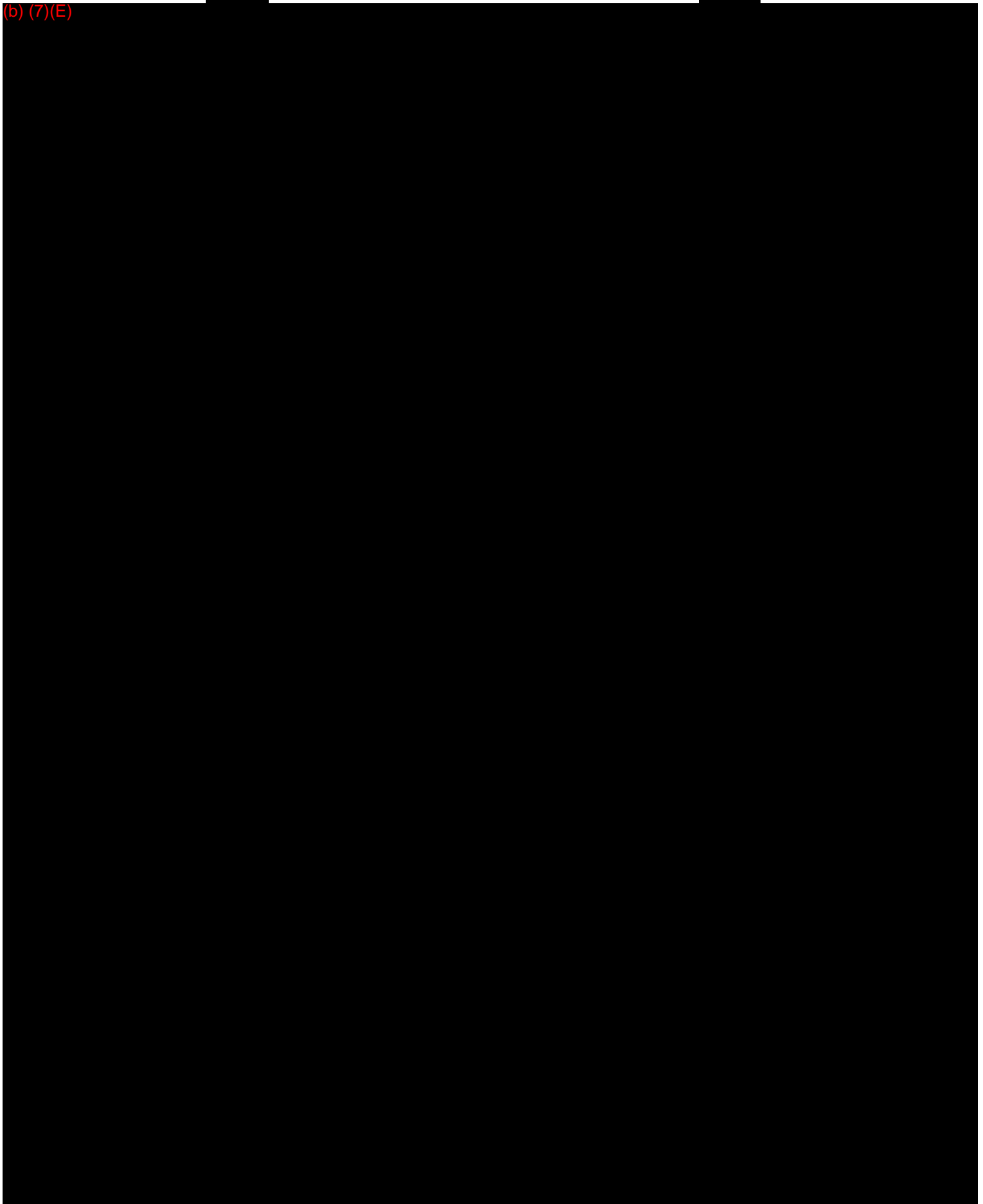
BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

Effective: 01/01/2012      Revised:  
Corrections Form Category \_\_\_\_\_ Form # C2-29-A

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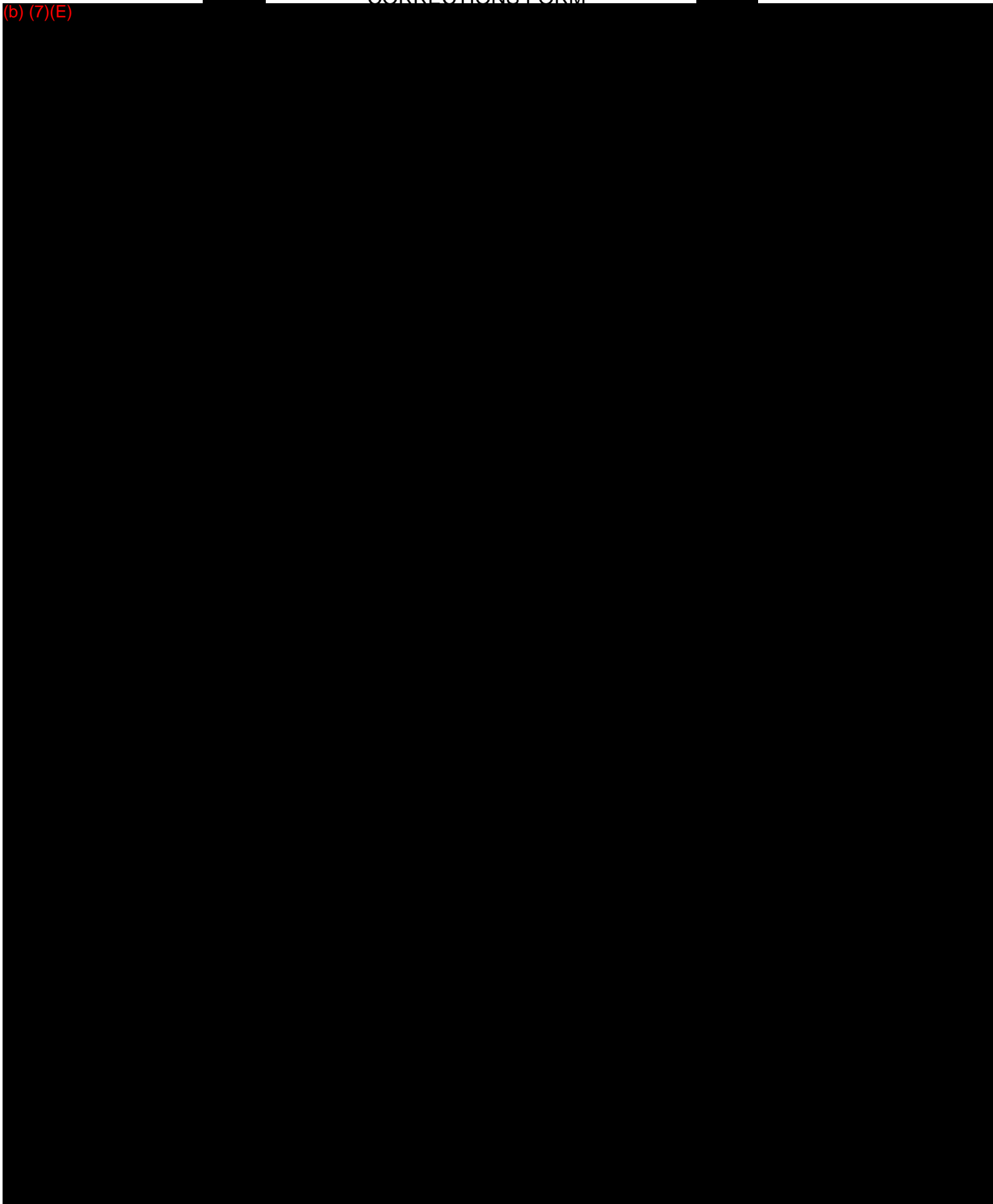


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BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-5B-04; 6A-01;

## C2-32 INMATE RELEASE

### POLICY

OJS Detention Facilities release inmates in a timely manner with proper legal documentation to the proper individual or organization.

### RULES AND PROCEDURES

#### C2-32-01 SCHEDULED RELEASE

- A. Prior to the beginning of dayshift, the night Officer in Charge will review the Daily Incarceration List to determine if any inmates are due for release. The Supervisor will document any pending releases on the Shift Report.
- B. At the beginning of each shift, the Officer in Charge will check the Shift Report to determine if any inmate is due for release during the shift.
- C. The dayshift Officer in Charge will verbally contact the parents of any juvenile inmate due for release that day to remind them that the juvenile is due for release and what time they need to report to the release point at the Detention Facility. The Officer in Charge will document the parent notification in the Shift Report.
- D. If the Officer in Charge cannot contact a parent, he/she will continue to make attempts and document the attempts in the Shift Report. After repeated unsuccessful attempts, the Officer in Charge will contact Social Services and the Court and document this on the Shift Report.
- E. At the appropriate time, staff will follow steps outlined in this directive to prepare the inmate for release and will release juvenile inmates to a family member or guardian.

#### C2-32-02 RELEASE PREPARATION

- A. When the Officer in Charge receives a facsimile or hand carried Judgment and Disposition Order or Court Order authorizing an inmate's release, he/she will date-stamp and initial the release documents, then confirm the authority to release by checking the inmate's file including the time calculation type, and if any, amount of bond.
- B. The Officer in Charge will then contact the authorizing agency or person, via telephone, to verify the release order.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-5B-04; 6A-01;

- C. If the Judgment and Disposition or Court Order and the information on the Criminal Complaint are in conflict as to the charges, criminal complaint number, and/or the bond amount, the Officer in Charge will contact a Court Officer via telephone, to obtain the correct information.
- D. The Officer in Charge will contact the local law enforcement agency to see if the inmate has additional active charges or detainers.
- E. The Officer in Charge will review the Custody Request Form to verify the release of only the charges he/she receives the release authorization for.
- F. If there are any questions, the Officer in Charge will verbally contact the applicable Court, authorizing agency, or person.
- G. For juvenile releases, the Officer in Charge will contact the authorized adult (parent, legal guardian, or as named in Court Order) to inform him/her that the juvenile is ready for release and instruct the authorized adult to come to the release area and will document this in the Shift Report.
- H. If the authorized adult cannot be reached, the Officer in Charge will not continue with the release process until the authorized adult has been reached. If the authorized adult cannot be reached, the Officer in Charge will contact Social Services and the Court and document this on the Shift Report.
- I. After the Officer in Charge verifies the release and has contacted the authorized adult, he/she will initiate the Inmate Release Sheet for the inmate.
- J. The Officer in Charge verbally will notify the appropriate Housing Officer and provides the inmate's name, location, and file number and advise the Housing Officer to prepare the inmate for release.
- K. The Officer in Charge will check the inmate's file for any pending items that need to be resolved, including grievances.
- L. If issues are pending, the Officer in Charge will verbally notify the Facility SCS for resolution.

#### C2-32-04 PREPARING THE INMATE FOR RELEASE

- A. The Housing Officer will notify the inmate, to report to the door of his/her room/cell and to bring all personal and issued property. The Housing Officer will inspect the inmate's room/cell for cleanliness, look for damage, and complete the Room/cell Inspection Form.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-5B-04; 6A-01;

- B. The Housing Officer will provide the inmate with a cleaning cloth and disinfectant spray and instruct the inmate to clean his/her mattress and pillow. The inmate will apply the spray on the mattress and pillow surface, wipe the surfaces with the cleaning cloth, and repeat for other side.
- C. The Housing Officer will now assume the responsibilities of the Admissions Officer.
- D. The Admissions Officer will obtain any medications for that inmate from the medical cart and any medical instructions and future medical appointments from the inmate's medical file and make two copies.
- E. The Admissions Officer will document on the Inmate Release Sheet:
  - 1. any medications released to the inmate,
  - 2. any medical appointments, and
  - 3. if any medical instructions are provided to the inmate.
- F. The Admissions Officer will secure the inmate File, any medication, medical appointments, and medical instructions in the Admissions desk.
- G. The Admissions Officer will return to the inmate's Housing Unit and retrieve the information contained within the housing notebook for that inmate and the Inmate Log for that inmate.
- H. The Admissions Officer will account for all issued property using the copy of the Property Form from the housing notebook and have the inmate return to his/her room to retrieve missing items when issued property is missing.
- I. When the inmate is ready to be taken to Search/Shower, the Admissions Officer will log out the inmate on the Movement Log, noting the permanent release, conduct a personal search in the corridor, and escort the inmate to Admissions for release. The inmate will be instructed to be seated.

#### C2-32-05 RELEASE PROCESSING

- A. The Admissions Officer will ask the inmate his/her date of birth and social security number, and compare the inmate's responses to the information and photo in the file.
- B. The Admissions Officer will retrieve the inmate's clothes and property by using the Property Form and remove the clothing and items from the storage container(s), then check the Property Form in the inmate file to ensure that all items listed are accounted for.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-5B-04; 6A-01;

- C. The Admissions Officer will remove the inmate's property (valuables) from the secure storage area and secure the room.
- D. If the Admissions Officer discovers articles of clothing or personal property missing from the inmate's property bag, he/she will follow C2-21-06.
- E. The Admissions Officer will:
  - 1. hand the inmate his/her personal clothing to change into and will observe while the inmate disrobes down to underwear and changes into his/her personal clothing in order to detect contraband, or any serious physical injury or abnormality which may have occurred during confinement. Observation will be gender specific when possible.
  - 2. observe while the inmate places his/her uniform and linens into the laundry cart in Search/Shower, comparing these items to those listed on the Property Form. The Admissions Officer will then receive any other detention center property that was issued and compare these items to those listed on the Property Form.
  - 3. ask the inmate for a forwarding address and enter it on the Release Sheet.
  - 4. complete the release portion of the Admissions Ledger.
  - 5. make a copy of any instructions from the Court for after-release ordered items for the inmate.
  - 6. provide the inmate with a copy of any medical instructions, any medication, and will notify the inmate of the date, time, and location of scheduled medical appointments and advise him/her that the appointment is on the Release Sheet that he/she will get a copy of.
  - 7. note future Court dates and the phone number and address for the Court on the Release Sheet.
  - 8. provide the inmate with a copy of available community resources.
  - 9. complete the Release Sheet with the exception of the following: "Released To, Date and Time and Release By, Date and time" portion and make a copy of the Release Sheet for the inmate.
- F. When the authorized adult arrives to pick up a juvenile, the Admissions Officer will take the original Release Sheet, the inmate's copy of the Release Sheet and any attachments, Admissions Ledger, and the inmate's property and proceeds to meet the authorized adult in the Release Area with the inmate.
- G. If the authorized adult is not known by the Admissions Officer, the Admissions Officer will request photo identification for verification.



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-5B-04; 6A-01;

H. The Admissions Officer will:

1. return the inmate's property to the inmate, but will retain any potential weapons or contraband belonging to the inmate.
  2. have the inmate sign the Property Form acknowledging that he/she has received all of this property and will note this on both copies of the Inmate Release Sheet.
  3. have the inmate and (for juveniles) the authorized adult sign, date and indicate the time on the Release Sheet and Admissions Ledger and provide the inmate the copy of the Release Sheet and any additional paperwork.
  4. request that the Control/Dispatch Officer unlock the door, instruct the inmate to enter the Vehicle Sallyport, hand the inmate his property, and close the door.
  5. notify the Officer in Charge to contact Social Services and the Court If no adult is available to release a juvenile inmate to. The Admissions Officer will supervise the inmate in Admissions which may require additional staff.
  6. document the release in the Post Log and Inmate Log and forward a copy of the Release Sheet to the Law Enforcement Assistant to use when mail comes for the released inmate.
  7. close the inmate's file.
- I. The Admissions Officer will notify parole authorities in the jurisdiction of release, if required.

C2-32-06 MISSING INMATE PROPERTY

- A. If inmate property is missing, the Housing Officer will verify the missing item with the Property Form and Receipt for/Release of Property or Funds from the inmate's file and ask the inmate if he/she released the property to anyone.
- B. If the inmate has released property to someone and there is no Receipt for/Release of Property or Funds, the Housing Officer will complete a Receipt for/Release of Property or Funds and place it in the inmates file.
- C. If all the inmate's property listed on the Property Form and Receipt for/Release of Property or Funds is not in the property bag, the Housing Officer will attempt to locate any missing item and conduct the necessary investigation to determine where it may be. If the item(s) remain unaccounted for the Admissions Officer will contact the Officer in Charge and will notify him/her of the incident.
- D. The Officer in Charge will contact all Detention Staff to inquire if they know about the missing item.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-5B-04; 6A-01;

- E. If items remain unaccounted for the Officer in Charge will contact the Facility SCS. The Facility SCS will advise the Officer in Charge if he/she should continue to look for the item or continue with the release process.
- F. If the investigation does not locate the property and if the inmate has not released the missing property, the Admissions Officer will note the discrepancy on the Property Form and have the inmate initial next to the notation listing the missing item and note the discrepancy on the Release Sheet.
- G. The Admissions Officer will then complete an Incident Report and deliver it along with a copy of the Property Form with the notation to the Officer in Charge prior to the end of the shift.
- H. If the inmate claims he/she had other property that is not listed on the Property Form, the Admissions Officer will show the inmate his/her signature, acknowledging his/her agreement with the inventory.
- I. If the inmate did not sign the Property Form at the time of Admissions, the Admissions Officer will inform him/her that all property he/she brought into the facility is listed on the Property Form.
- J. If the inmate feels he/she had additional property at the time of arrest, the Admissions Officer will inform the inmate that he/she may make an inquiry with the Arresting Officer after release.

#### C2-32-07 TEMPORARY RELEASE OR FURLOUGH

- A. If an inmate wishes to request a temporary release for a funeral or ritual and/or ceremonial practice, the inmate will submit an Inmate Request Form to the Court.
- B. The Court will send a Court Order authorizing the temporary release to the Detention Facility which will include who the inmate is to be released to, the time the inmate is to return to the Detention Facility and rules for the release. If the Court does not authorize the release, the inmate will not be released.
- C. The Officer in Charge will review the authorization and contact the Court if there are any questions. The Officer in Charge will then notify the Housing Officer of the scheduled temporary release and the Housing Officer will notify the inmate.
- D. At the designated time, the Officer in Charge will verbally notify the appropriate Housing Officer advising him/her the inmate's name, location, file number, and why the inmate is needed.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-5B-04; 6A-01;

- E. The Housing Officer will instruct the inmate to put any items away that he/she has out, log the inmate out on the Movement Log, and escort the inmate to Admissions.
- F. If the temporary release will be overnight or longer, the Housing Officer will instruct the inmate to remove personal items from his/her room for storage.
- G. The Housing Officer will locate the inmate's property container by comparing the file number on the container to the number on the inmate's Property Form. The Housing Officer will then remove the inmate's personal clothing and hand it to the inmate to dress in. The inmate will then change into his/her personal clothing.
- H. The Housing Officer will place facility clothing and any personal items removed from the inmate's room/cell into the inmate's clothing storage container.
- I. When the person to whom the inmate is being released to arrives at the facility the Housing Officer will review the conditions of the court ordered release with the inmate and the receiving person. The adult and the inmate will exit the facility.
- J. The Housing Officer will document the temporary release on the Inmate Log and the Post Log.
- K. The Officer in Charge will document the temporary release on the Shift Report.
- L. At the scheduled time, the inmate will return to the facility.
- M. The Admissions Officer will conduct a personal search of the inmate in the Admissions area. A breath test may be conducted as a random or suspected test.
- N. The Admissions Officer and the inmate will enter Search/Shower. The Admissions Officer will conduct a visual search of the inmate down to the underwear in Search/Shower.
- O. The Officer in Charge will obtain the inmate's uniform and any other items removed from his/her room from the clothing storage container from Property and hand the inmate his/her uniform to dress in, receive his/her personal clothing and other property, and return it to the property storage container.
- P. The Admissions Officer will obtain the inmate's Property Form and confirm that the inmate has returned in clothing he/she departed in.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-5B-04; 6A-01;

- Q. The Housing Officer will document the inmate's return on the Post Log, Inmate Log, and Movement Log.
- R. Officer in Charge will document the return on the Shift Report.
- S. The inmate will be moved back to his/her Housing Unit.
- T. If the inmate does not return at the scheduled time, the Officer in Charge attempt to contact persons associated with the inmate, law enforcement, and the Court to determine his/her whereabouts.
- U. If after two hours the inmate has not returned, the Officer in Charge will notify the On Duty Patrol Officer and request that he/she complete a complaint for Disobedience to a Lawful Order of the Court.
- V. The Officer in Charge will verbally notify the Facility SCS and complete an Incident Report.

#### C2-32-09 TEMPORARY RELEASE TO OTHER AGENCIES

- A. When another agency needs temporary custody of an inmate, a representative from the requesting agency will notify the Facility SCS by telephone or in person. Extradition may apply.
- B. The requesting agency will send a facsimile of the Order or hand carry the Order unless extradition applies.
- C. The Facility SCS will send a facsimile of the Order to the inmate's Sentencing Court and contact the inmate's Sentencing Court to determine the Court's opinion concerning the temporary release.
- D. The Facility SCS will verify any facsimile-generated Order via telephone by speaking with an authorized representative from the requesting agency.
- E. The Facility SCS will request the name and position of the agency representative who will be taking custody of the inmate and document this information on his copy of the Order.
- F. The inmate's Sentencing Court will approve or deny the temporary release to another agency by providing a written Order with the approval or denial to the Facility SCS.
- G. If the request for temporary release is denied by the inmate's Sentencing Court, the Facility SCS will notify the requesting agency of the Court's decision.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-5B-04; 6A-01;

- H. If the inmate's Sentencing Court approves the request, the Facility SCS will notify the Officer in Charge and provide a copy of the Orders.
- I. The Facility SCS will file the original Orders in the inmate's file.
- J. At the scheduled time, the Officer in Charge will notify the appropriate Housing Officer, via radio or intercom, advising him/her the inmate's name, location, and file number.
- K. The Housing Officer will document the temporary release on the Movement Log, remove the inmate from his/her Housing Unit, and do a personal search of the inmate. The Housing Officer will then escort the inmate to the workstation.
- L. The Housing Officer will verify the identity of the inmate by asking the inmate his/her date of birth, social security number, and any other personal information that would verify the inmate's identity and compare this to information and photo in the inmate's file.
- M. The Housing Officer will dress-out the inmate in his/her personal clothing.
- N. The Housing Officer will gather any medications issued to the inmate for release to the requesting agency depending upon the length of the temporary release.
- O. The Housing Officer will direct the inmate to a Holding Room and instruct him/her to remain there until summoned.
- P. When the Agency Transport Officer arrives at the facility, the Housing Officer will verify the Agency Transport Officer's identity by examining his/her identification.
- Q. The Housing Officer will complete and date stamp an Inmate Receipt listing the inmate's name, file number, and destination.
- R. The Housing Officer will instruct the Agency Transport Officer to sign the Inmate Receipt and list the agency he/she represents.
- S. The Housing Officer will verbally summon the inmate to the workstation, unlocking the Holding Room as necessary. The inmate will be turned over to the Agency Transport Officer and they will leave the facility.
- T. The Housing Officer will place the Inmate Receipt in the inmate's file and document the temporary release in the Post Log, Inmate Log, and Movement Log.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-5B-04; 6A-01;

- U. The Agency will advise the Officer in Charge of the proposed date and time of return.
- V. The Housing Officer will complete and date stamp an Inmate Receipt listing the inmate's name, file number, and destination.
- W. The Housing Officer will instruct the Agency Transport Officer to sign the Inmate Receipt and list the agency he/she represents.
- X. The Transport Officer will sign the Inmate Receipt and return it to the Housing Officer. The Officer in Charge will receive and process the inmate as detailed in C2-32-08 M. thru S.

#### C2-32-10 DRESS-OUT FOR TEMPORARY TRANSFER OR FURLOUGH

- A. When the Officer in Charge is notified that an inmate is to be temporarily transferred or furloughed, he/she will verbally notify the appropriate Housing Officer advising him/her the inmate's name, location, file number, and why the inmate is needed.
- B. Staff will follow the applicable steps to begin the release process.
- C. If the inmate has personal property from his/her room he/she does not wish to take or is not permitted to take outside the facility during his/her temporary transfer or furlough, he/she will hand the property to the Housing Officer for storage in his/her property storage container.
- D. The Housing Officer will locate the inmate's property storage container by comparing the file number on the bag to the number on the inmate's Property Form.
- E. The Housing Officer will place the inmate's personal property in the property storage container, log on property form, and remove the inmate's personal clothing, and hand it to the inmate to dress in. The inmate will change into his/her personal clothing.
- F. If the facility clothing is clean, the Housing Officer will place it into the inmate's clothing storage container. If it is not clean, the Housing Officer will arrange to have it laundered and the inmate will be issued different clothing upon return.
- G. The Housing Officer will check the Property Form in the property bag, ensuring all articles of property are accounted for.
- H. Staff will follow the applicable steps in this directive to complete the Dress-Out Process.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-5B-04; 6A-01;

## C2-32-11 PERMANENT RELEASE TO OTHER AGENCY

- A. When an inmate is due for release to another agency or institution, a representative from the requesting agency will present a warrant or writ and the Facility SCS will verify any request to release the inmate before the release can occur. Extradition may apply.
- B. When an inmate is to be released to a law enforcement agency, a representative will contact the Facility SCS informing him/her of the approximate date, time of arrival, and name of the Transport Officer. Extradition may apply.
- C. When an inmate is scheduled for release and the responsible law enforcement agency has not contacted the Detention Facility, the dayshift Officer in Charge will contact the law enforcement agency to advise of the pending release.
- D. The Officer in Charge will verify any facsimile-generated release, via telephone, by speaking with an authorized representative from the requesting agency.
- E. The Officer in Charge will check the inmate's file to see if the inmate has an upcoming Court date which would prevent him from release eligibility.
- F. If the inmate has an upcoming Court date, the Officer in Charge will advise the requesting agency that the inmate must return for his/her Court appearances in the current jurisdiction or other arrangements need to be made with the Court before he/she can be released to another agency.
- G. Staff will follow the appropriate steps to prepare the inmate for release.
- H. When the Transport Officer arrives at the discharge point, the Officer in Charge will verify the Transport Officer's identity by examining his/her identification.
- I. The Housing Officer will retain the inmate's property and money after the inmate signs the Property Form and place the property and money into a bag or envelope and seal/secure the property.
- J. The Housing Officer will photocopy the Property Form and staple it to the property bag.
- K. The Housing Officer will complete a Detainer listing in the inmate's name, file number, and destination. If the inmate's release is not occurring immediately, the Housing Officer will staple the Detainer to the property bag.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-5B-04; 6A-01;

- L. The Housing Officer will ensure that the property bag's seal is intact and secure. If the property bag's seal is not secure, he/she will initial the Property Form and secure the bag in a locked drawer in the workstation. When the Transport Officer is ready to take custody of the inmate and his/her property, the Housing Officer will remove the property from the locked drawer.
- M. The Admissions Officer will ask that the Transport Officer present the warrant/writ. The warrant/writ (or a copy) will be retained in the inmate's file.
- N. If it is an extradition, the Housing Officer will obtain a Waiver of Habeas Corpus Proceedings in Extradition from the inmate's file and request that the Transport Officer sign the Waiver of Habeas Corpus Proceedings in Extradition.
- O. The Housing Officer will also sign the Waiver of Habeas Corpus Proceedings in Extradition, make a copy for the Transport Officer and the inmate's file, and forward the original to the Court.
- P. The Housing Officer will instruct the Transport Officer to sign the Detainer and list the agency he/she represents. The Transport Officer will sign the Detainer and return it to the Housing Officer who will time-stamp it or write in time and date.
- Q. The Housing Officer will hand the inmate's property to the Transport Officer in the presence of the inmate. The Transport Officer will sign the Property Form, showing he/she is taking custody of the inmate's property.
- R. The Housing Officer will make a notation on the Property Form, listing the agency and individual taking custody of the inmate's property and the date.
- S. The Housing will complete the release process and release the inmate to the Transport Officer who will depart with the inmate.

#### C2-32-12 WORK EDUCATION RELEASE

The Facility SCS will explore the development of a work/education release program for the Detention Facility based on inmate participation.



(b) (7)(E)



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(b) (7)(E)



Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## C2-34    SEX OFFENDER REGISTRATION AND NOTIFICATION ACT

### POLICY

The detention facility staff will ensure that all inmates required to be registered under the Sex Offender Registration and Notification Act are identified and, when applicable, provide all necessary information to the local government Registry Entity.

### RULES AND PROCEDURES

#### C2-34-01 IDENTIFICATION AND REGISTRATION OF CONVICTED SEX OFFENDER

- A. The Facility SCS will determine the local government entity responsible for accepting sex offender registrations.
- B. During the admission process, the Admissions Officer will determine if the inmate is a registered sex offender or is a convicted sex offender that is required to register.
- C. If the inmate is registered or must register, the Admissions Officer will complete the Sex Offender Registry Form.
- D. The Registry Form will be retained in the inmates file and, just prior to release, the information will be updated with the inmate and forwarded to the Registry Entity.
- E. If an inmate appears to be uncooperative, the Admissions Officer will explain the registration requirements and advise the inmate that if he/she is subject to registration and does not register, he/she is in violation of federal law and is subject to arrest and incarceration for a 5 year period.
- F. The Admissions Officer may also check with the Registry Entity and/or the Courts to determine prior registration or current status of the inmate.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## C2-34-02 INFORMATION TO BE PROVIDED BY CONVICTED SEX OFFENDER

The following information will be obtained from the sex offender:

1. Name of the sex offender, to include all aliases.
2. Address of the sex offender's residence; if no permanent address is available, information regarding the primary location of the sex offender must be provided. If the information is not available because the sex offender is in violation, the public web site must also include this fact.
3. Address of the sex offender's place of employment, including about where the sex offender works if no permanent address of employment is provided.
4. Address of the place where the sex offender is or will be a student.
5. License plate number and description of any vehicle owned or operated by the sex offender.
6. A physical description of the sex offender.
7. The text of the registerable sex offenses committed by the offender and any other sex offense for which the offender has been convicted.
8. A current photograph of the sex offender.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-01(M); 4C-03(M); 4D-05(M);

## C2-40 ACCESS TO HEALTH CARE

### POLICY

The OJS detention facilities will provide access to available health care to all inmates. The health and safety of inmates and staff is of primary concern.

### RULES AND REGULATIONS

#### C2-40-01 GENERAL

- A. Access to a continuum of health care services will be available, so health care needs, including prevention and health education, are met in a timely and efficient manner. Inmates will be informed of the process for requesting health care.
- B. The Facility SCS shall ensure inmates have access to emergency and routine health care, which includes medical, dental, mental health, and substance abuse assessment and care.
- C. Detention staff members have an obligation to promptly refer all inmate requests for health care services to the appropriate health care provider. Health care shall be accessible in accordance with any agreements between the detention facility and the health care provider.

#### C2-40-02 NOTIFYING INMATES OF HEALTH CARE SERVICES

- A. The Facility SCS will review the facility agreement with the health care provider to determine what health care services are available.
- B. The Facility SCS, in coordination with the District SCS will ensure information regarding inmate access to health care is identified in the facility Inmate Handbook.
- C. During orientation/screening, the detention officer shall verbally instruct the inmate how health care may be accessed, and ensure an Inmate Handbook is provided, or made available for review. The detention officer will receive written verification of understanding from the inmate.
- D. If a facility Inmate Handbook is not provided to each inmate during booking/screening, a copy will be readily available in the inmate housing areas, at all times.
- E. The Facility SCS shall also ensure the information on access to health care is posted in appropriate inmate areas.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-01(M); 4C-03(M); 4D-05(M);

### C2-40-03 INMATE REQUEST FOR ROUTINE HEALTH CARE

- A. Any inmate needing access to routine health care will complete an Inmate Request Form. This form can be initiated at any time by the inmate. An inmate may also make a verbal request to a staff member at any time or respond to sick call.
- B. The form or verbal request will be provided to a detention officer, who will individually and privately meet with the inmate. The officer will document the need of the inmate on the form, and make arrangements for a health care appointment.

### C2-40-04 INMATE REQUEST FOR EMERGENCY AND URGENT MEDICAL CARE

- A. Inmates may request urgent and emergency medical care verbally to staff. Staff may also observe a medical need.
- B. Detention staff will immediately notify the on-duty supervisor, and if necessary emergency medical services (EMS) or the health care provider will be contacted, based on the inmate's health care complaint. Whether the inmate request is verbal or written, the detention officer will document this on the daily activity log.
- C. The EMS or health care provider, if contacted, will assess the situation and may refer the inmate to the appropriate health resource. This shall be documented in the inmate's Health Care File.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-02;

## C2-41 CONSENT FOR HEALTH CARE

### POLICY

The Office of Justice Services policy is to provide BIA detention facility inmates access to health care when necessary.

### RULES AND REGULATIONS

#### C2-41-01 GENERAL

- A. The Facility SCS will ensure procedures are in place at detention facilities that allow an inmate, or in the case of a minor, the inmate's parent, legal guardian, or the Court to give written informed consent for all medical examinations, treatment, and medication, unless a medical emergency occurs. Inmates will have the right to refuse exam/treatment/ medication.
- B. At the time of admission, an attempt will be made to contact a juvenile's parent or legal guardian to get permission to provide for medical treatment during the juveniles stay at the facility. The Court may also be requested to authorize treatment, should a parent or legal guardian not be available. A parent or legal guardian may also refuse exam/treatment/medication on behalf of the juvenile.
- C. The Facility SCS shall ensure that inmates receiving general medical care are given the opportunity to sign the appropriate forms consenting to or refusing medical examination/treatment/medication.

#### C2-41-02 REFUSAL OF SERVICES FORM

This is a form on which an inmate formally refuses examination, treatment, and/or medications. Any inmate refusing these services shall be provided with this form, and it will be signed by the inmate, two staff members witnessing the refusal, or a staff member and the health care provider. If the inmate is a juvenile, the same applies, including the signature of the parent/legal guardian (see Appendix A).

#### C2-41-03 STAFF RESPONSE WHEN TREATMENT/MEDICATIONS ARE REFUSED

- A. If an inmate refuses medical treatment or medications, detention staff will contact the health care provider to determine if lack of treatment/medications is life threatening. If it is, a Court order will be obtained to force the inmate to receive treatment/medication.
- B. If lack of treatment is not life threatening, staff will monitor the inmate for any signs of health issues due to lack of treatment/medication. If signs surface, the health care provider will be re-contacted for further guidance.

BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

(b) (7)(E)





Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-14(M); 4D-05(M);

## C2-42 MANAGING CHEMICAL DEPENDENCIES

### POLICY

The Office of Justice Services is committed to providing BIA detention facility inmates with chemical dependency problems access to substance abuse programs, and to carrying out the directives of the Anti Drug and Alcohol Reform Act of 1986 (PL 99-570).

### RULES AND REGULATIONS

#### C2-42-01 GENERAL

- A. The Facility SCS and the chemical dependency program provider will provide access to a range of substance abuse services. These types of services may include, but are not limited to;
  1. medical detoxification,
  2. social detoxification,
  3. treatment, support groups,
  4. education and prevention.
- B. The Facility SCS shall ensure that inmates requiring detoxification receive appropriate care and that substance abuse programming is available.

#### C2-42-02 DETOXIFICATION PERIOD

- A. To protect the health and safety of inmates who are alcohol or drug dependent, if detoxification is required, it will be performed under medical supervision and will only occur in a health care facility.
- B. The Facility SCS will coordinate this service appropriately through the courts or IHS.
- C. If an individual who has been under the influence of alcohol or drugs, but cleared medically, is admitted/booked into the facility, the below guidelines will be followed:
  1. The inmate will be placed in a holding cell that can easily be observed by detention staff.
  2. To the extent possible, the inmate will be placed on his/her left side (Recovery Position) with their face observable.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-14(M); 4D-05(M);

3. The inmate will be physically monitored, flesh (head, arms and legs) and movement (snoring, chest respirations, etc.) every 15 minutes for the first 2 hours, every 30 minutes for the next 4 hours.
4. Documentation, i.e. logs, forms, etc., will be utilized in accordance with handbook procedures, which reflect the monitoring of the inmate.

#### C2-42-03 REFERRAL FOR SUBSTANCE ABUSE TREATMENT

The Facility SCS will ensure all inmates requiring treatment are referred. The below procedures identify how referral for substance abuse treatment can be initiated. Based upon agreements with local health care providers, these procedures may be tailored to meet the needs of individual facilities.

1. An inmate may submit an Inmate Request Form requesting treatment.
2. Staff may refer the inmate based upon information obtained during booking/intake, or behavior while incarcerated. Referral will ordinarily be by the Facility SCS.
3. A court mandate may direct the facility to provide treatment or direct the inmate to participate in treatment. In either case, the inmate will be referred.

#### C2-42-04 RESPONSIBILITY

The Facility SCS is responsible for coordinating inmate access to a substance abuse program with local health care or substance abuse providers. The Facility SCS will identify a responsible staff member to ensure the following:

1. If a substance abuse program is offered inside the facility, a suitable location shall be designated for the health care or substance abuse provider to conduct the program.
2. If the program is outside the facility, transportation will be coordinated with the health care or substance abuse provider.

#### C2-42-05 DOCUMENTATION

The Facility SCS shall ensure all inmate referrals for substance abuse treatment are documented.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-11(M);

## C2-43 HEALTH APPRAISAL AND EXAMINATION

### POLICY

The Office of Justice Services detention facilities will ensure adequate health appraisal and examinations are provided, to protect the health and safety of all inmates and staff.

### RULES AND REGULATIONS

#### C2-43-01 GENERAL

The health care provider will conduct a complete health appraisal and examination on all inmates as required. The Facility SCS shall ensure inmates receive a health examination and appraisal as required. Entries will be logged in the Inmate Appointment Book as necessary. The Inmate Appointment Book (calendar) will be used to post any authorized inmate appointment including but not limited to:

1. Medical, dental;
2. Court;
3. Any other authorized appointment within or outside the detention facility.

#### C2-43-02 HEALTH APPRAISALS AND EXAMINATIONS

##### A. Appraisal

1. Review of Intake Health Screening
2. Screening for Diet Counseling
3. Collection of additional data to complete medical, dental, psychological, and immunization histories with attention to elements that may indicate the presence of chronic disease, weight, pulse, blood pressure, and temperature.
4. Lab tests
5. Any other comments
6. Referral and initiation of therapy

##### B. Exam

1. Hands on exam by licensed health care provider
2. Dental screening, hygiene, and treatment by licensed provider
3. Mental health appraisal by licensed provider
4. Other health care as needed

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-11(M);

C. The Facility SCS will identify all inmates who require appraisals and examinations. These inmates will be scheduled for appraisals and examinations, through a health care provider, i.e. Indian Health Services, etc. The criteria of the health examination and appraisal will be identified in a Memorandum of Understanding between the facility and the health care provider.

Inmates who are sentenced for more than 7 days will be scheduled for a health care appraisal, and a health care examination if sentenced for more than 30 days.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:      BIA ADF-4D-03(M);

## C2-45 HEALTH CARE DECISIONS

### POLICY

The delivery of health care in a detention setting is a joint effort between the BIA OJS detention facility and health care providers. On occasion, there may be a conflict between medical and detention guidelines. Conflicts related to medical care should be resolved, as far as practical, in favor of medicine. At the same time, the safety and security of staff and the operation of the facility is vital. Detention staff, particularly management, shall make sound decisions regarding the medical needs of inmates within the facilities.

### RULES AND REGULATIONS

#### C2-45-01 MEDICAL DECISIONS

- A. All health care decisions regarding inmates shall be made by a designated health care provider. Recommended medical decisions shall be followed with consideration of facility safety and security. In the event there is a conflict between the medical recommendation and facility safety and security, the District SCS shall be contacted. If a conflict cannot be resolved, it may be necessary to seek a court order to determine the level of medical care to be provided.
- B. The health care provider shall communicate the following information to detention staff, verbally, and in writing, upon treatment provided to any inmate: This requirement will be included in the annual MOU agreement.
  1. The medical decision and medical recommendations.
  2. The "need to know" medical information about the individual inmate.
  3. The need for special observation, special housing, transport, to a medical facility, or any other medical need as it relates to the security of the facility.
- C. The Facility SCS is responsible for ensuring all medical decisions are carried out, and that the safety and security of the inmates and staff is not compromised.
- D. The Facility SCS shall notify the District SCS of any major or serious medical needs and decisions.
- E. All detention staff are responsible for making immediate decisions regarding medical emergencies. All supervisory staff will be notified in accordance with the SIR Policy.
- F. Detention staff shall implement security procedures needed to carry out medical decisions, in accordance with division policies.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:      BIA ADF-4D-03(M);

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4D-04(M);

## C2-47 HEALTH CARE PERSONNEL

### POLICY

The Office of Justice Services requires credential verification for all contracted health care providers, established procedures for primary source credential verification, and when granting of clinical privileges to health care providers within BIA detention facilities. These providers include BIA staff, Public Health Services (PHS) staff, consultants, and those who provide treatment using Tele-health.

### RULES AND REGULATIONS

#### C2-47-01 GENERAL

The Facility SCS together with the health care provider shall ensure that only qualified health care providers administer care to inmates within the detention facility. However, the fact that only licensed certified, or registered personnel provide health care services, does not preclude the use of traditional practitioners at an inmate's request.

#### C2-47-02 VERIFICATION OF CREDENTIALS

- A. Contracted medical personnel will present appropriate health care identification when entering the facility.
- B. The health care provider is responsible for identifying the level of medical competency required for their medical personnel performing medical duties within the facility.
- C. The health care providers will maintain a copy of written job descriptions and current Proof of Licensure or certification for each medical staff member performing duties within the facility, which should be available upon request from facility detention staff.
- D. The contract health care provider will require that each medical staff member provide proof of re-licensure as renewal dates occur, and will provide a copy of current licensing to the facility, upon request.
- E. The inmate will be solely responsible for identifying and requesting the services from a traditional practitioner, i.e., Shaman, Medicine Man, etc. Detention staff will verify the legitimacy of the practitioner.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4D-04(M);

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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:      BIA ADF-4D-07(M); 4D-18;

## C2-48 HEALTH CARE RECORDS AND CONFIDENTIALITY

### POLICY

Health care and medical files at all OJS detention facilities will be maintained and kept confidential.

### RULES AND REGULATIONS

#### C2-48-01 GENERAL

- A. Those facilities having medical personnel on-site will follow established policies for establishing, maintaining, transferring, and archiving medical records. Provisions found in 16 BIAM will be complied with. The Facility SCS will determine if HIPAA guidelines are applicable to his/her facility.
- B. The Facility SCS in coordination with the health care provider will ensure that a separate and confidential inmate medical file is maintained for all inmates to protect their privacy and rights. The method of recording entries in the files, the forms, and formats of the record and the procedures for their maintenance and safekeeping will be defined and approved by the health care provider. The Facility SCS and health care provider will provide for the transfer of health care records to other health care professionals to assure continuity of health care and to avoid the duplication of tests and examinations. Records of substance abuse assessment and treatment are considered health records.
- C. Inmate health records will be maintained in a confidential manner. The following will be adhered to regarding health records
  1. Active inmate medical files will be maintained separately from the inmate confinement records. Access is controlled in accordance with federal and state laws.
  2. Access to inmate medical files will be controlled by the Facility SCS or the health care provider.
  3. The health record is made available to, and is used for documentation by all practitioners.
  4. The health care provider will share with the Facility SCS information regarding an inmate's medical management, security, and the ability to participate in programs.
  5. Staff will be trained concerning inmate health care privacy and confidentiality. Nonmedical staff will only have access to specific medical information on a "need to know" basis.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010: BIA ADF-4D-07(M); 4D-18;

## C2-48-02 MEDICAL RECORD CONTENTS

Inmate medical files will contain the following, if applicable:

1. Copies of completed intake screening forms (medical, suicidal, etc.).
2. Health appraisal data collection forms.
3. Prescribed medication data, and information on their administration.
4. Laboratory, x-ray, and diagnostic results.
5. Consent and refusal forms.
6. Release of information forms.
7. Place, date, and time of health care encounters.
8. Discharge summary of hospitalization.
9. Health care service reports (e.g., dental, psychiatric, and other consultations)

## C2-48-03 DEVELOPMENT AND MAINTENANCE OF INMATE HEALTH CARE FILE

THOSE FACILITIES HAVING MEDICAL PERSONNEL ONSITE WILL FOLLOW ESTABLISHED MEDICAL RECORDS POLICIES AND PROCEDURES.

## C2-48-04 ACCESS TO HEALTH CARE RECORDS

- A. Health care providers or medical facilities will be asked to access inmate records on a provider to provider, facility to facility basis, where the detention facility does not have contact with inmate medical records. When absolutely necessary, detention personnel may serve as a courier for IHS records with records being sealed prior to being picked up.
- B. Health care providers and medical facilities may be given access to those medical records in files at the detention facility when an inmate consent form is obtained.

## C2-48-05 TRANSFER OF HEALTH RECORDS

Steps to be followed to transfer an inmate's medical file to another facility:

1. Prior to an inmate being transferred to another institution, the on-duty supervisor will notify the health care provider in advance of the date and time of transfer so that the Inmate Medical File, any medications, and/or directions for care and treatment can be prepared.
2. The health care provider will summarize pertinent elements of the medical file, seal, label it, "Confidential, to the attention of the health care provider at the facility to which the inmate is going", and package it with any necessary medication.
3. The health care provider will give these materials to the on-duty supervisor on the day and at the beginning of the shift when the transfer is to occur.
4. The on-duty supervisor will ensure that the transport officer is provided with all medical documents, medication, etc., regarding the inmate being transferred.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-12(M); 4D-10(M); 5A-01;

## C2-49 HEALTH CARE TREATMENT

### POLICY

The Office of Justice Services detention facilities will provide access to medical, dental, and mental health care treatment to inmates as necessary for their well being. Inmates will not be allowed to volunteer or participate in any medically related testing, trials, or experimentation.

### RULES AND REGULATIONS

#### C2-49-01 GENERAL

- A. The Facility SCS and the health care provider will arrange reasonable medical care for inmates. This includes emergency, acute, chronic, convalescent, and preventive medical, dental, mental health, substance abuse, and, where applicable, obstetrics and gynecology services.
- B. To ensure that health care treatment is provided under the direction of qualified medical and mental health professionals, independent health care providers will provide written direct orders and/or treatment protocols under which health care providers or health trained detention staff can deliver certain types of basic medical care (minor ailments normally treated by over-the-counter medications).
- C. Facilities will have access to a health care provider 24-hours a day, 7-days-per-week to provide emergency medical treatment, and routine medical treatment for inmates confined in the facilities. Treatment issues noted throughout this policy should be addressed in agreements with the health care provider. Written agreements will provide for the health care services described in the following sections.

#### C2-49-02 TREATMENT PLAN AND SELF-CARE INSTRUCTIONS

- A. The health care provider will develop a treatment plan and self-care instructions to cover medical problems which can be recognized and treated by health care providers as well as health trained detention staff. These orders will relate to the chronic health care problems common in the facilities.
- B. The health care provider will describe the signs, symptoms, and the appropriate assessment procedures to be used. They will address diet, restrictions, or special housing needs, isolation techniques if indicated, any special needs associated with the disease or condition addressed, most commonly used medications and their side effects on other treatment regimens, and recognition and management of potential complications.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-12(M); 4D-10(M); 5A-01;

- C. The health care provider will train or provide information to the detention staff regarding the necessary follow-up care an inmate requires after any medical treatment that requires on-going medical care.
- D. Staff shall contact the health care provider to obtain any information or clarification needed regarding required ordered treatment, if necessary, and document this contact in the inmate medical file.
- E. Staff shall ensure, if necessary, that inmates who have ongoing medical treatment-self-care, are reviewed by a health care provider as necessary.
- F. The health care provider will assess each inmate who presents special problems.
- G. The health care provider is responsible for prescribing by direct order, anything necessary regarding the inmates medical treatment.
- H. The health care provider will provide copies of medical documentation regarding an inmate's medical care, which shall be placed in the inmate's medical file.

#### C2-49-03 HEALTH CARE APPOINTMENTS

- A. A health care provider will write the order for treatment or diagnostic exam.
- B. The Facility SCS shall ensure all arrangements are made regarding medical appointments, including transportation.
- C. An Inmate Appointment Book (calendar) will be maintained by staff logging all inmate appointments on a daily basis.

#### C2-49-05 MENTAL HEALTH CARE

- A. The District SCS will ensure compliance by formal agreement or a contracted service provider by seeking out resources for mental health care.
- B. The Facility SCS will determine if an inmate with mental health concerns can be housed in the facility, based on the information provided by the mental health care provider.
- C. The Facility SCS will ensure detention staff has received training in monitoring and housing inmates with mental health concerns.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-12(M); 4D-10(M); 5A-01;

- D. If an inmate is found to exhibit mental health concerns, the Facility SCS shall ensure a mental health care provider assesses this inmate immediately. A determination will need to be made as to where and how the inmate can be safely and securely cared for, in a way that protects them from themselves and others.
- E. The Facility SCS shall ensure that all inmates have access to individual or group counseling and drug or alcohol treatment, which cannot be provided by the facility, if available.
- F. The Facility SCS, based on the recommendation by a mental health care provider, shall request the transfer of inmates with mental health concerns, in coordination with the sentencing court for an inmate:
  - 1. That cannot be safely maintained in the facility.
  - 2. Whose condition has deteriorated;
  - 3. Who is actively suicidal or homicidal;
  - 4. Whose health would be compromised by remaining in the facility.

#### C2-49-06 DENTAL CARE

- A. The health care provider will identify potential dental problems during the health appraisal, or routine examination. (See policy, C2-43 Health Appraisal and Examination).
- B. If an urgent or emergency dental condition occurs, it will be treated as a medical emergency.
- C. The health care provider or designee will determine if the dental condition meets the criteria for treatment.
- D. If the health care provider or designee denies dental treatment, this should be documented in the inmate's medical file.
- E. The Facility SCS will coordinate the dental appointment to ensure the treatment is provided.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-12(M); 4D-10(M); 5A-01;

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Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

## C2-50 HEALTH EDUCATION

### POLICY

It is the policy of the Office of Justice Services to promote health and decrease transmission of disease within detention facilities by educating inmates, volunteers, and detention staff.

### RULES AND REGULATIONS

#### C2-50-01 GENERAL

The Facility SCS will ensure a health education program appropriate to the staff and inmate population is made available.

#### C2-50-02 HEALTH EDUCATION AND TREATMENT PROGRAMS

Topics in the health education program will include, but not be limited to the following:

1. Personal hygiene.
2. Communicable diseases, including AIDS.
3. Chronic disease, including diabetes.
4. Diet and exercise.
5. Smoking.
6. Substance abuse.
7. Family planning.
8. Health issues for female inmates.

#### C2-50-03 RESOURCES

Area resources can provide a wealth of materials including written materials, visual aids, and volunteers to conduct classes and do follow-ups. Area resources which might be utilized include, but are not limited to:

1. The local health care facility, to include mental health.
2. Planned Parenthood.
3. Local or State AIDS projects.
4. State and County Health Departments.
5. Outreach nursing services from area hospitals.
6. The state medical society.
7. Local Colleges/Universities.
8. Tribal Programs.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

C2-50-04 DEVELOPMENT AND IMPLEMENTATION OF AN INMATE HEALTH EDUCATION PROGRAM

- A. Volunteers or outside programming may be used to facilitate the health education program.
- B. At a minimum, written material on health education issues will be made available to the inmates.



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-15(M);

## C2-53 MEDICATIONS

### POLICY

The Office of Justice Services is committed to protecting the health and rights of the inmates, and the security of detention facilities. The Facility SCS, in coordination with a health care provider, shall ensure that all medications are stored and administered appropriately, in accordance with applicable regulations, facility security regulations, and physician's orders.

### RULES AND PROCEDURES

#### C2-53-01 GENERAL INFORMATION

All BIA-OJS facilities must follow these guidelines.

#### C2-53-02 PROCEDURES

##### A. Receipt of Medications

1. During admission/booking all medications will be confiscated from inmates. Any illegal or suspicious medications will be confiscated and noted as contraband (See policy, Inmate Property). Illegal contraband will be presented to the arresting officer.
2. Prescription bottles or other containers possessed by an arrestee containing more than one kind of medication require additional handling. Pills/medications will be segregated into individual containers and identified by pharmaceutical staff. Medications in original prescription bottles which are legally prescribed to the inmate will be stored with his/her property and returned to the inmate when released.
3. Upon approval by a pharmacist, original prescription medications may be administered as directed by the prescribing health care provider.
4. Unlabeled medication or medication not prescribed to the inmate will be properly disposed of
5. Inmates using prescription medication will have their prescription(s) refilled by IHS or other approved pharmacy for use while in the facility.
6. Any unused medication will be returned to the inmate upon release.
7. Prescribed medications for any inmate will be documented on an inmate medication log (See appendix A). Staff will coordinate with the health care provider to verify the prescribed medication. An inmate medication log will be initiated for each medication prescribed. Prescribed medication will be added to the inmate's Property Form.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:      BIA ADF-4C-15(M);

**B. Storage of Medications**

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**C. Medication Orders**

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**C2-53-03 ADMINISTRATION OF CONTROLLED MEDICATIONS**

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-15(M);

### C2-53-05 INMATE MEDICATION LOG

(b) (7)(E)



### C2-53-06 DISPOSAL OF PRESCRIPTION MEDICATIONS

(b) (7)(E)



(b) (7)(E)



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-10(M); 6B-03;

## **C2-54 MANAGEMENT OF SPECIAL NEEDS INMATES**

### **POLICY**

Office of Justice Services detention facility personnel will ensure that inmates with special needs are identified, i.e. mental health, ambiguous gender, sexual orientation, or mental/physical disabilities and will ensure that proper care is provided.

### **RULES AND REGULATIONS**

#### **C2-54-01 GENERAL**

The Facility SCS, in coordination with the District SCS, shall ensure special needs of inmates are identified within the facility and addressed appropriately. The well being of the inmates, the safety of other inmates and staff, and the security of the facility are the responsibility of all BIA-OJS detention staff.

#### **C2-54-02 BOOKING/ADMISSION**

- A. Detention staff performing booking/admission shall pay particular attention to the mental health status of inmates. It is imperative that a thorough screening of inmates is conducted, to ensure the safety of the inmates and staff.
- B. The Facility SCS will be consulted with when classifying and making housing arrangements for ambiguous gender inmates. Segregation and/or single room occupancy may be considered when inmate safety issues are identified, to include inmate requests.

#### **C2-54-03 MANAGEMENT OF INMATES WITH MENTAL HEALTH CONCERNS**

- A. The decision to house inmates with mental health concerns should include consideration of the following:
  - 1. The availability of security cells to safely house inmates with mental health concerns.
  - 2. Detention staff available to adequately monitor inmates with mental health concerns.
  - 3. Availability of in-house mental health personnel who can intervene and counsel.
  - 4. The stability of the inmate, i.e. medication, inmate behavior, potential Alzheimer's disease, etc.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-10(M); 6B-03;

- B. If an inmate is identified as not being mentally stable enough to be housed in the facility, the following will be accomplished:
1. The Facility SCS shall be contacted, and in turn, the District SCS will be notified.
  2. The Court of Record will be notified and advised of the inmate's condition. A request for a temporary or permanent release, for transfer to an appropriate facility will be made. (See policy, Inmate Releases).
  3. Arrangements will then be made, in accordance with the agreement between the facility and the health care provider, to transfer the inmate to an appropriate facility for treatment.
- C. Once an inmate is stabilized and returned to the facility, staff shall ensure the following:
1. During booking, the inmate will be observed to ensure that he/she is not exhibiting any obvious signs of unusual behavior.
  2. Any health care provider treatment plan developed will be followed, which may include:
    - a. medication, if indicated,
    - b. housing assignments,
    - c. special monitoring needs,
    - d. monitoring potential for violence and/or suicide,
    - e. a plan for treatment/intervention.
  3. Transfer to a mental health facility, if the inmate's condition deteriorates.
  4. Notification to the Court upon the inmates release from custody if the inmate is exhibiting mental health concerns (See policy, Inmate Release).

#### C2-54-04 MANAGEMENT OF PHYSICALLY HANDICAPPED INMATES

- A. The inmate will be assessed by a health care provider, to determine if their physical handicap needs can be accommodated at the facility. The following shall be considered:
1. The availability of appropriate housing, access to toilet and shower facilities, including the ability to separate inmates with infectious diseases.
  2. The level of health care required.
  3. The resources available in the facility to respond to a medical emergency.
- B. If a determination is made that the inmate cannot be accommodated at the facility, the following will be accomplished:
1. The Facility SCS shall be contacted, and in turn, the District SCS shall be contacted.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-10(M); 6B-03;

2. Arrangements will then be made, in accordance with the agreement between the facility and the health care provider, to transfer the inmate to an appropriate facility.
  3. The Court of Record will be notified and advised of the facilities inability to safely house the inmate, and a request for assistance from the Court will be requested. (See policy, Inmate Releases).
- C. If an inmate's physical needs can be accommodated at the facility, the below will be followed:
1. The inmate will be observed to ensure his/her physical handicap is being accommodated humanely.
  2. Accommodations such as assignment to a bottom bunk, etc. should be considered.
  3. Any health care provider treatment plan developed will be followed, which may include medication, if indicated, housing assignments, special monitoring needs, and potential for a medical emergency.
  4. A plan for transfer to a medical facility, if the inmate's condition deteriorates.
  5. Any written, "need to know" information will be passed along to detention staff to help them monitor and manage the inmate.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-10(M); 6B-03;

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-05(M); 4C-07(M); 4C-08; 4C-12(M); 4D-01(M) 4D-02; 4D-03(M) ;4D-08;

## C2-55 OTHER INMATE HEALTH ISSUES

### POLICY

Inmates are provided with unimpeded access to medical treatment with their authorization unless a life-threatening emergency exists or the inmate is considered mentally incompetent by the Court and/or is in danger of harming himself or others.

The Facility SCS will utilize Tribal agencies to develop individual treatment plans for inmates in order to assist inmates in achieving personal goals while they are held in the Detention Facility.

The Detention Facility, through Indian Health Services, may provide evaluation, diagnosis, and treatment of mental illness; evaluations and recommendations for transfer of mentally ill inmates to psychiatric hospitals; referral and linkage to community mental health service providers for treatment after release for inmates.

When an OJS detention facility does not have on-site IHS staff/clinic facilities, the Facility SCS will modify this directive accordingly so that external IHS services can be made available to all inmates.

### RULES AND PROCEDURES

#### C2-55-01 ADMINISTRATION OF TREATMENT

##### A. Informed Consent – Inmate

1. The Admissions Officer will request that a parent or legal guardian sign the Informed Consent if the inmate is a juvenile.
2. If a signed Informed Consent is not provided, the Admissions Officer will verbally notify the On Duty Supervisor and Facility SCS.
3. In the event that the inmate or inmate's parent or legal guardian in the case of a juvenile, refuses to sign the Informed Consent, the Facility SCS will contact the sentencing Court to gain Court-Ordered Consent for medical care. The Facility SCS will document this in the Health Record and no medical services, other than emergency life-saving procedures, will be offered.
4. Any member of the Health Services Staff who evaluates the inmate and starts any treatment, therapy or related procedures, will verbally inform the inmate of the reason, need, risks and consequences and will document this in the Health Record.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-05(M); 4C-07(M); 4C-08; 4C-12(M); 4D-01(M) 4D-02; 4D-03(M) ;4D-08;

## B. Refusal to Submit to Treatment

1. If the inmate refuses medical treatment, the Health Services Staff will review the reason and need for treatment with the inmate to clarify the inmate's understanding of the risks and dangers of non-compliance.
2. The Health Services Staff will request that the inmate sign a Refusal of Medical Treatment Form which includes the inmate's name, date and time of report, the treatment refused and the consequences of non-compliance, the inmate's signature and the witnessing signatures of two staff. The Health Services Staff will place the Refusal of Medical Treatment Form in the inmate's Health Record.
3. If the inmate refuses medical treatment and a life threatening condition exists, the Health Authority and Facility SCS will obtain a court order to provide treatment.

## C. Confidentiality

1. The Health Services Staff will treat all patient information as confidential.
2. The Health Services Staff will release information only after the inmate consents and signs a Release of Information Form per specific occasion or through a court order.

## C2-55-02 CONTINUITY OF CARE

- A. The health services system includes continuity of care from admission to release, including referral to community care in order to provide the best care to youth.
- B. Designated Health Care Provider (REFER TO 1-C-4D-01 CORE JAIL STDS)
- C. Medical Judgments
  1. The Health Care Provider, with the Physician, will make the final medical judgments regarding the health care provided to inmates, including recommendations for treatment to be made by health care providers in the community.
  2. The Physician will provide and arrange for all levels of medical care at the facility.
  3. The Physician, in conjunction with the Health Authority, will develop procedures and protocols while the Health Authority oversees the implementation and adherence to such procedures and protocols.
  4. The Physician will comply with all Federal, State and local laws regarding the practice of medicine.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-05(M); 4C-07(M); 4C-08; 4C-12(M); 4D-01(M) 4D-02; 4D-03(M) ;4D-08;

#### D. Quarterly Reports and Meetings

1. The designated Health Care Provider and Facility SCS, will meet at least quarterly to discuss health care issues and services as well as other matters of concern to the smooth and orderly operation of the facility. Minutes from these meetings are taken by a designated meeting member and include:
  - a. date and location,
  - b. name of those attending,
  - c. description of any health environment factors needing improvement,
  - d. account of effectiveness of Health Services,
  - e. changes or improvements accomplished,
  - f. any recommendations for corrective actions,
  - g. review of minutes from previous meeting, and
  - h. discussion of current issues,
  - i. review of existing and new policy, procedure and protocol,
  - j. idea sharing, problem identification and resolution and
  - k. provisions for in-service training.
2. A member of the meeting will summarize the discussion, retain a copy in the appropriate Administrative Health Services File and distribute a copy to all attendees.

#### E. Annual Reports and Meetings

1. The Facility SCS will prepare an Annual Report using the statistical information provided by the staff member, minutes of quarterly meetings, and current trends and goals of the Health Services Area. The annual report will include the following:

Statistical information with breakdown into categories,

- a. Number of sick call visits/clinic visits,
- b. Number of Mental Health cases including commitments,
- c. Number of Substance Abuse cases,
- d. Number of Communicable Disease cases,
- e. Number of Physician visits and Nurse visits,
- f. Outside hospital admissions,
- g. Outside medical trips,
- h. Number of ambulance trips,
- i. Number of injuries, i.e. industrial or recreational,
- j. Number of emergencies, and
- k. Number of dental cases.
- l. Other \_\_\_\_\_

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-05(M); 4C-07(M); 4C-08; 4C-12(M); 4D-01(M) 4D-02; 4D-03(M) ;4D-08;

2. The Facility SCS will incorporate elements of the Health Annual Report into the Inmate Detention Center Annual Report.

#### F. Facility Compliance

1. The Facility SCS will ensure that the Health Care Provider reviews, at least monthly, the physical plant to ensure that adequate space, equipment, supplies and materials are provided to the facility health care delivery system.
2. If the Health Care Provider discovers the need for changes, he/she will address these needs through the next budget process.

### C2-55-03 DENTAL SCREENING AND EVALUATION

Inmates will receive dental screening and dental care when available and medically necessary.

### C2-55-04 HEALTH SERVICE MANAGEMENT

- A. The Detention Facility, in conjunction with the Indian Health Service provides comprehensive health services utilizing licensed, qualified personnel to protect the health and well being of the inmate. All medical, psychiatric and dental matters involving medical judgment are the sole province of the Indian Health Service and physician, psychiatrist, and dentist, respectively.

#### B. Plan Management

1. The Facility SCS will initiate agreements with the Indian Health Service and present a recommendation to the Chief of Corrections for approval.
2. The Indian Health Service's Health Authority will initiate agreements with a licensed acute care facility for intoxication and withdrawal and present recommendations to the Chief of Corrections.
3. The Chief of Corrections and the Deputy Associate Director will modify and/or approve the acute care facility agreement.
4. The Health Authority will review and comment on detention policy and procedures as they relate to health practices.

#### C. Non-Emergency Transfer to a Health Facility

1. The Health Service Staff will determine when an inmate requires on-going medical care and treatment beyond the resources available at the facility.
2. The Health Service Staff will inform the On Duty Supervisor of the need to transport a inmate for non-emergency treatment.
3. The On Duty Supervisor will place any supplied Medical Documentation into a sealed envelope, label with inmate name, and stamp "Confidential".

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-05(M); 4C-07(M); 4C-08; 4C-12(M); 4D-01(M) 4D-02; 4D-03(M) ;4D-08;

4. The On Duty Supervisor will notify the Facility SCS of any and all community non-emergency appointments, at least one day in advance.
5. The On Duty Supervisor will contact the Health Service Staff and request a review of the inmate's Health Record and written documentation of any requirements including medication needs and specific written instructions or administration of such medication, for observation and care during travel, behavior management problems or procedures, and any other pertinent information needed for transporting.
6. The Facility SCS will determine who will be transported and forward the necessary information to the On Duty Supervisor.
7. The On Duty Supervisor will deliver any supplied documentation in the sealed envelope to the Transport Officer the day of the transport.

#### D. Emergency Transfer to a Health Facility

1. The IHS Clinic will verbally inform the On Duty Supervisor of all emergency transfers needed to outside facilities.
2. The IHS Clinic or On Duty Supervisor will request the inmate and parent (if a juvenile) sign a Request for Release of Medical Records Form if able, or to give verbal authorization if unable to write, which will be documented on the Request for Release of Medical Records Form and placed in the inmate's Health Record.
3. The IHS Clinic or On Duty Supervisor will contact, by telephone, the outside medical facility regarding the inmate before the inmate's arrival, to allow the facility time to prepare for his/her arrival, and document the above information on the Medical Referral Form.
4. The On Duty Supervisor will place the original of the Medical Referral Form in an envelope and seal it, writing the inmate's name and destination on the front of the envelope.
5. The On Duty Supervisor will forward a copy of the Medical Referral Form to the IHS Clinic.
6. The On Duty Supervisor will place a copy of the Medical Referral Form in the inmate's Health Record.
7. The On Duty Supervisor will deliver the sealed envelope to the Transport Officer.
8. The On Duty Supervisor will select a Transport Officer to make the transport and provide instructions on any requirements, including medication needs and specific written instructions, for administration of such medication, observation and care during travel, behavior management problems, restraints or procedures, and any other pertinent information needed for transporting.
9. The Transport Officer will hand-deliver the sealed envelope to the Health Service Staff at the receiving facility.
10. The Transport Officer will escort the inmate to the receiving facility and return any medical documents to the On Duty Supervisor upon return to the facility.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-05(M); 4C-07(M); 4C-08; 4C-12(M); 4D-01(M) 4D-02; 4D-03(M) ;4D-08;

11. The On Duty Supervisor will forward any medical documents to the IHS Clinic. If it is after hours or on the weekend, the On Duty Supervisor will forward the documents when the IHS Clinic is open.
12. IHS Health Service Staff will review the paperwork upon receiving the medical documents and begin any new treatments and/or medication, make recommendations concerning type of housing, activities and monitoring of inmate (due to medical condition of inmate) and document the above in the inmate's Health Record and provide written directions for Staff. Until IHS has reviewed, the Staff will follow written discharge information made by the Emergency Health Care Provider.
13. The IHS Health Service Staff will notify, in writing, the On Duty Supervisor and Facility SCS of any changes in the inmate's medical status.

E. Hospitalized Inmate

REFER TO C2-55-05 HOSPITALIZATION

F. Transfer of Inmate to Another Facility

1. The On Duty Supervisor will complete a Medical Transfer Form on all inmate transferred to another inmate facility.
2. The On Duty Supervisor will have the inmate complete a Request for Release of Medical Records Form provided by the IHS Clinic.
3. The On Duty Supervisor will submit the Request for Release of Medical Records Form to IHS and request copies of the inmate's Health Record from IHS Medical Records and IHS will provide a copy of Medical Records.
4. The On Duty Supervisor will place records in a sealed envelope, label the envelope with the inmate's name and give it to the Transport Officer.
5. The Transport Officer will give the inmate's Health Record to the receiving facility.
6. If the inmate is transported before the arrangements can be made to obtain the inmate's medical record, IHS Health Service Staff will be notified of the transfer.
7. Upon receipt of the signed Request to Release Medical Records Form, IHS Health Service Staff will copy the inmate's Health Record and forward it via mail or facsimile to the receiving facility's Health Care Provider.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-05(M); 4C-07(M); 4C-08; 4C-12(M); 4D-01(M) 4D-02; 4D-03(M) ;4D-08;

## G. Chronic or Convalescent Care

1. Inmates with chronic medical conditions such as diabetes, hypertension, and mental illness will receive periodic care by a qualified health care provider in accordance with individual treatment plans.
2. If the inmate is in need of chronic or convalescent care, the responsible Physician will develop written Physician Instructions/Individual Treatment Plan outlining the treatment and care to be provided while incarcerated. Treatment Plans will include monitoring of medications and laboratory testing. (See C2-55-02 Continuity of Care)
3. The Facility SCS, after determining the resources are available to maintain the inmate in custody will distribute the Physician's Instructions/Individual Treatment Plan to staff responsible for its implementation.

## C2-55-05 HOSPITALIZATION

The Detention Facility will ensure inmates needing hospitalization are immediately transported and will maintain appropriate security for hospitalized inmates in order to protect the community.

1. If the On Duty Supervisor learns that an inmate will need hospitalization, he/she will inform the Facility SCS who will request a temporary release from the Court. If a temporary release is not granted, the Facility SCS will continue with this procedure. Necessary medical services will not be delayed based on Court approval.
2. The Transport Officer will provide the hospital with a completed Medical Referral Form on all emergency admissions and/or a completed Medical Summary Form of all non-emergency admissions as outlined in Procedures B and C above.
3. The On Duty Supervisor will notify the Facility SCS and the Health Authority of the inmate's admission and the Facility SCS will notify the next-of-kin if a serious or life-threatening condition exists.
4. The On Duty Supervisor will notify the Facility SCS of the expected length of admission and the expected time of discharge.
5. The On Duty Supervisor will call the hospital daily for a medical report on the patient and document this information in the inmate's Health Record and update the Facility SCS daily.
6. The Facility SCS will monitor the inmate's condition and update next-of-kin of any changes or relevant information.
7. The On Duty Supervisor will notify the Facility SCS when notification of the inmate's pending discharge is received.
8. The Facility SCS will notify the staff supervising the inmate at the hospital to return the inmate to the facility upon discharge, unless the health care provider indicates the inmate is not suitable for incarceration.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-05(M); 4C-07(M); 4C-08; 4C-12(M); 4D-01(M) 4D-02; 4D-03(M) ;4D-08;

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-05(M); 4C-07(M); 4C-08; 4C-12(M); 4D-01(M) 4D-02; 4D-03(M) ;4D-08;

(b) (7)(E)



Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-05(M); 4C-07(M); 4C-08; 4C-12(M); 4D-01(M) 4D-02; 4D-03(M) ;4D-08;

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-05(M); 4C-07(M); 4C-08; 4C-12(M); 4D-01(M) 4D-02; 4D-03(M) ;4D-08;

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## C2-55-06 INDIVIDUAL TREATMENT PLANS

### A. Individual Treatment Plans

1. If the On Duty Supervisor or Facility SCS determines that an inmate is in need of specialized treatment, the Facility SCS will contact the appropriate Tribal agency to request an individual treatment plan be developed.
2. The Tribal agency representative will develop an individual treatment plan for the inmate, provide a copy to the Facility SCS, and schedule a time to meet with the Facility SCS.
3. The Facility SCS will make a copy of the individual treatment plan and file it in the inmate's file.
4. The Facility SCS, Tribal agency representative, the inmate and, if appropriate, his/her family will meet to discuss the individual treatment plan.
5. The Facility SCS will notify staff of the individual treatment plan and, if necessary, modify the inmate's schedule and housing appropriately to meet the needs of the individual treatment plan.
6. The Facility SCS and Tribal Agency representative will meet based upon the frequency determined by the Tribal Agency to monitor the inmate's progress.
7. The Tribal Agency representative, the Facility SCS, and the inmate will modify the inmate's individual treatment plan as needed.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-05(M); 4C-07(M); 4C-08; 4C-12(M); 4D-01(M) 4D-02; 4D-03(M) ;4D-08;

## B. Referral Process

1. The Health Services Staff will screen inmates requesting or appearing to be in need of Mental Health Services.
2. The Health Services Staff member receiving the inmate's request will interview the inmate and make recommendations.

## C. Emergency Mental Health Referral

1. When Detention Facility Staff, Mental Health Staff or Health Services Staff become concerned about an inmate's potential to harm himself or others due to mental illness, staff will complete an Incident Report which includes an assessment of the inmate's situation as well as disposition and evidence of notification.
2. Staff will institute appropriate observation levels and precautionary measures and conduct appropriate notifications.
3. Staff completing the Incident Report will immediately deliver the report to the On Duty Supervisor who will share it with the appropriate service areas:
  - a. Health Services Unit,
  - b. Mental Health Staff,
  - c. Facility Nurse,
4. The Facility SCS or On Duty Supervisor will make the necessary arrangements to move the inmate to the appropriate Housing Unit.
5. Mental Health Staff recommendations remain in effect until the situation is modified and there is a return to routine observational level as determined by the Classification Committee.
6. Mental Health Staff or Health Services Staff will review the inmate status daily.
7. Mental Health Staff or the Health Authority may change observational levels based upon their assessment.

## C2-55-08 OTHER MEDICAL ISSUES

The Detention Facility will provide female inmates with health services by a qualified provider as well as services unique to females in order to provide gender specific health care and follow-up, including prenatal, peripartum, and postpartum care.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-05(M); 4C-07(M); 4C-08; 4C-12(M); 4D-01(M) 4D-02; 4D-03(M) ;4D-08;

## C2-55-09 INMATE MEDICAL PLAN

A. Health Services Staff will evaluate inmates entering the facility with prosthetic or orthotic devices before allowing them to retain the devices in the general population, and provide inmates with prosthetic and orthotic services when the health of the inmate would otherwise be adversely affected.

### B. Inmate Entering with Prosthesis

1. The Admission Officer will notify Health Services Staff via telephone or radio whenever an inmate is admitted or returns from an outside medical trip wearing a prosthetic device.
2. The Admission Officer will inspect the device for contraband.
3. The Admission Officer will contact the Health Services Staff to examine the individual.
4. The Health Services Staff will examine the inmate and document the information in the inmate's Health Record regarding the recommended action with respect to the device:

(b) (7)(E)

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5. The Health Services Staff will notify the On Duty Supervisor of his/her recommendation using an Incident Report.
6. The Health Services Staff will forward copies of the inmate's Health Record to the Facility SCS to be used in determining housing.
7. The Facility SCS will forward a copy of the inmate's Health Record to the Housing Officer.

### C. Prosthesis and Orthosis Services

1. The Health Services Staff will evaluate an inmate requesting orthopedic or prosthetic services during a medical encounter and refer the inmate to the Nurse or Physician.
2. The Nurse or Physician will medically evaluate, examine, and order services as needed if the health of the inmate would be jeopardized by not doing so.
3. The Health Services Staff, working with the Nurse or Physician, will document the Physician's order on the inmate's Health Record, verbally inform the On Duty Supervisor, and inform the Housing Officer

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-4C-05(M); 4C-07(M); 4C-08; 4C-12(M); 4D-01(M) 4D-02; 4D-03(M) ;4D-08;

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Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## C4-14 PUBLIC INFORMATION

### POLICY

All Detention Facilities provide limited access to the facility and to inmates, to ensure the inmate's privacy rights and to maintain a secure facility while fostering open and positive relationships with the media and the public.

### DEFINITIONS:

Media - Representatives of any newspaper, magazine, television or radio station or any other form of communication that reaches large numbers of people.

### RULES AND PROCEDURES

#### C4-14-01 MEDIA ACCESS

The Department of Interior, Public Information Officer in Washington, D.C. will handle any inquiries by the media or press releases. Media personnel requesting information will be asked to put their requests in writing. The Facility SCS will forward these written requests through the District SCS to the Chief of Corrections who will submit them to the DOI-PIO.

#### C4-14-02 STAFF AND MEDIA COMMUNICATION

If contacted by telephone or in writing by a member of the media, staff will refer the media member to the Facility SCS.

#### C4-14-03 CAMERAS AND RECORDING DEVICES - MEDIA

Any member of the media requesting permission to bring a recording device (audio, video, or camera) into a detention facility must submit a written request to the District SCS who will forward it to the DOI-PIO for a response.


#### C4-14-04 CAMERAS AND RECORDING DEVICES - LAW ENFORCEMENT

- A. When a facility SCS or an on duty supervisor receives a call or is contacted by a law enforcement officer requesting permission to interview an inmate, the facility SCS or on duty supervisor will:
1. Determine a time and date when this interview can take place.
  2. Get written permission from a parent or legal guardian if the interviewee is a juvenile.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

3. Notify the law enforcement officer that the interview is allowed and provide the time and date.
  4. Photos of inmates by law enforcement personnel will only be for investigative purposes.
- B. When the law enforcement officer arrives at the Detention Facility, the Staff will follow procedures for Professional Visits.
  - C. Law enforcement officers who wish to have their interview with an inmate videotaped must provide the videotape.
  - D. Audio recordings, videos, and pictures are to be used for official purposes only. Dissemination for any other reason is prohibited.

#### C4-14-05 MEDIA CONTACT AND INTERVIEWS WITH INMATES

- A. When a member of the media requests a contact or interview with an inmate, the media member will complete a Media Request and Waiver and give it to the Facility SCS who will forward it to the District SCS for approval.
- B. If/when approved, the Facility SCS will contact the On Duty Supervisor to arrange for him/her to tell the inmate of the media contact request and get his/her permission.
- C. If the inmate agrees to the media contact, the Facility SCS will give the inmate a Media Request and Waiver to sign. The Facility SCS will also sign the Media Request and Waiver.
- D. The Facility SCS will place the signed Media Request and Waiver in the inmate's file.
- E. (b) (7)(E) 
- F. The Facility SCS will then contact the member of the media, schedule the time, and tell him/her to come to the Lobby when arriving at the Detention Facility.
- G. When the media person arrives at the Lobby he/she will either tell the law enforcement assistant or use the intercom to contact the Control/Dispatch Officer. Either the Control/Dispatch Officer or the law enforcement assistant will contact the On Duty Supervisor and tell him/her that the media person is in the Lobby for the media contact.



Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

- H. The On Duty Supervisor will assign an available Detention Officer to escort the media person. The Detention Officer will meet the media person in the Lobby, obtain identification, and have the media person sign in on the Visitor Log - Professional.
- I. The Detention Officer will check through the equipment that the media person is bringing into the Detention Facility for any contraband and will approve that equipment essential for the media contact. The Detention Officer will have the media person place his/her equipment in Visitor Waiting and then have the media person clear the metal detector.
- J. The Detention Officer will escort the media person to the location of the media contact.
- K. (b) (7)(E)
- L. The Detention Officer will remain in the location of the media contact or observe from outside the room and take steps to keep the media person safe.
- M. After the media contact, the Detention Officer will contact the Control/Dispatch Officer to have the inmate moved back to the Housing Unit.
- N. The Detention Officer will escort the media person to the Lobby and check to make sure that all of his equipment is with him.
- O. The media person will sign out on the Visitor Log - Professional, pick up any belongings in the lockers, and leave the Detention Facility.

#### C4-14-06 PRESS RELEASES

The DOI-PIO is responsible for writing and distributing press releases.

BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS FORM\*

(b) (7)(E)

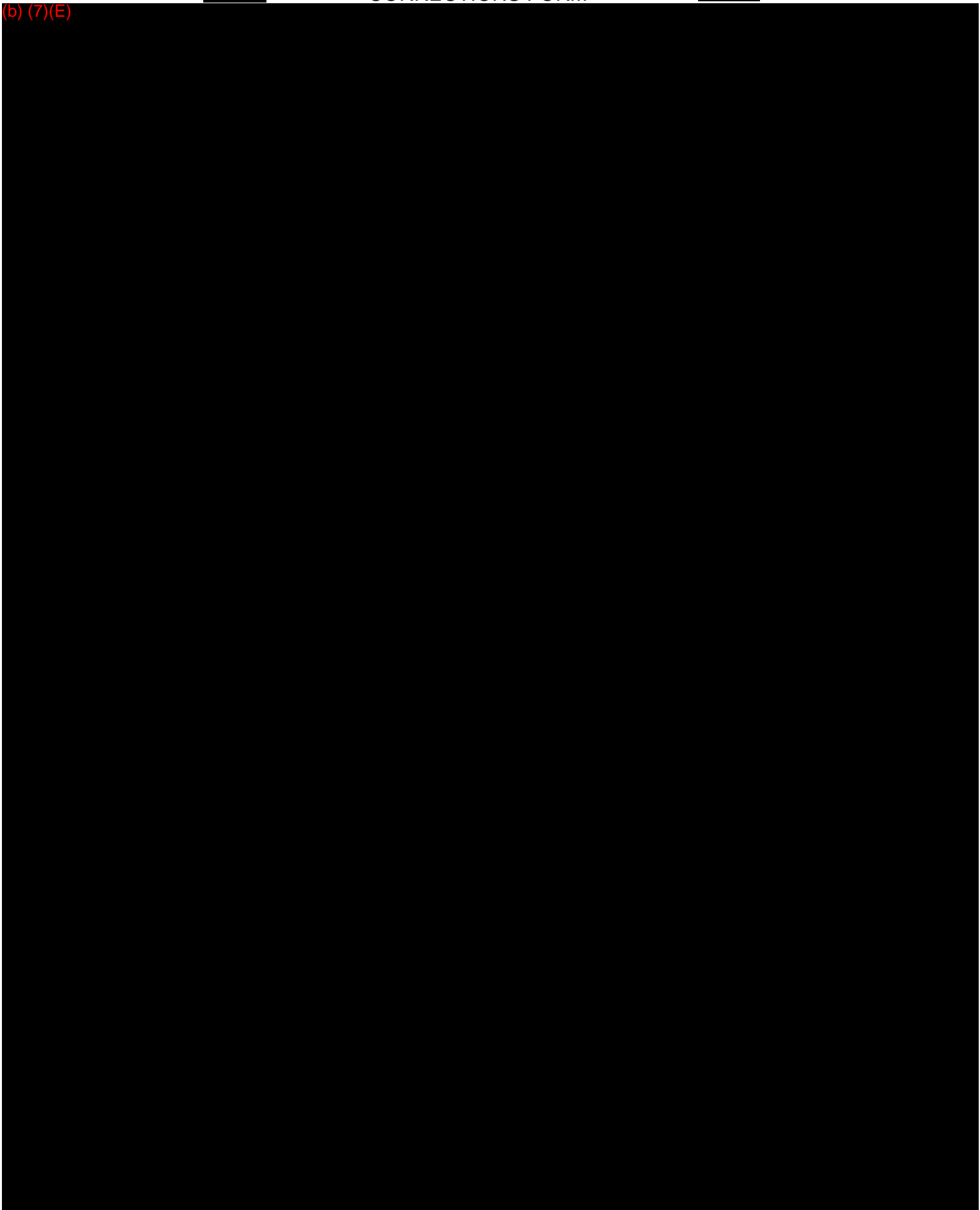


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Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010


## C4-17 FACILITY RADIOS

### POLICY

In order to facilitate efficient functioning of a Detention Facility during both routine operations and emergency situations, detention staff will use radios within the facility and around the perimeter of the facility.

### RULES AND PROCEDURES

#### C4-17-01 GENERAL

- A. Staff will use radios as a communications system within the facility, on transports, and in the event of urgent, special, or unusual incident or emergency situations.
- B. The radio communications system will be the primary means of communication at all facilities.
- C. Radios will be pre-tested in the Detention Facility prior to purchase to insure proper functionality.
- D. (b) (7)(E)  

- E. The following is protocol for use of the radios:
  1. Pause and listen before sending a message, so you do not speak over anyone who is transmitting.
  2. Use call numbers. Announce your call number then the call number of the person you are calling (i.e. CO-1 CO-8)
  3. Clearly acknowledge any transmission directed to you.
  4. Do not use the radio for long conversations - be as direct and concise as possible. Business requiring long conversations should be done by phone.
  5. Plain English should be used unless a 10 code is designated.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

#### C4-17-02 RECEIVING A DISPATCH CALL

While on duty, staff members that are issued radios will keep them turned on and maintained on the designated channel.

#### C4-17-03 OBTAINING AND OPERATING THE RADIO

- A. Staff needing a radio will obtain it from the Officer being relieved, or from the charging station.
- B. Staff will inspect the radio for any signs of physical damage.
- C. If any physical damage is found, the staff member will complete a Work Order documenting the damage found.
- D. The staff member will check the radio to ensure it is operational by depressing the transmit button. If static is audible, the radio is operational.
- E. Staff will conduct a radio check with the Control/Dispatch Officer at the beginning of the shift and verify the correct frequency.
- F. Throughout the shift, when staff is ready to transmit, he/she will wait until the channel is clear, press the PTT Button, holding it in after the radio omits a beep, and speak into the grill area of the radio or Internal Speaker/Microphone in a normal voice.
- G. Staff will terminate the transmission by releasing the PTT Button.
- H. At the end of the shift, staff will turn the radio over to the oncoming staff or return the radio to the battery charger.

#### C4-17-05 RADIO MALFUNCTION

- A. Should a malfunction occur in a radio, the staff member in possession of that radio will immediately complete a Work Order which documents the problem with the radio, and the cause of the problem, if known.
- B. The staff member with the malfunctioning radio will contact the On Duty Supervisor via phone and request the On Duty Supervisor obtain a spare radio from Control/Dispatch then make arrangements for the malfunctioning radio and Work Order to be sent to the Facility SCS.
- C. The On Duty Supervisor will give the staff member the spare radio and take the malfunctioning radio.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

- D. The On Duty Supervisor will give the malfunctioning radio and Work Order to the Facility SCS. The Facility SCS will coordinate the repair or replacement of the radio.
  
- E. The Facility SCS will sign out a replacement radio to the area without radio coverage.



Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-03; 2A-08;

## C4-19 STAFF COMMUNICATION

### POLICY:


The Office of Justice Services detention facilities promote two-way communication between staff and provide for regular facility meetings in order to keep staff informed and enhance the facility's security and its efficient operation. Routine communications between facility staff and inmates is essential. Therefore, shift briefings are held daily for the sharing of important information between shifts.

### RULES AND REGULATIONS

#### C4-19-01 CHANNELS OF COMMUNICATION

- A. Regular meetings between the Facility SCS and all department heads and between department heads and their key staff members are to be conducted at least monthly.
- B. The Facility SCS will ensure that a system of two-way communication between all levels of staff and inmates is in place.
- C. The Facility SCS or designee will visit the facility's living and activity areas at least weekly to encourage interaction between staff and inmates.
- D. The Facility SCS will ensure and document communication with executive, legislative, and judicial bodies' at all governmental levels.

#### C4-19-02 SHIFT BRIEFINGS

- A. Prior to the start of each shift, oncoming staff will meet with the off going On Duty Supervisor to review events of prior shifts, review memos, review new policies and procedures, pass on information, make special announcements, hold open discussion, and hear concerns.
- B. The oncoming On Duty Supervisor will document the occurrence and content of the briefing in the Shift Report.
- C. (b) (7)(E) 

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-03; 2A-08;

#### C4-19-03 SHIFT BRIEFING – SPECIAL

- A. The Facility SCS will call a special meeting in order to inform and/or discuss with staff, a particular issue, or situation.
- B. The On Duty Supervisor will notify staff, at least 24 hours in advance, when possible, or will contact staff directly.
- C. The Facility SCS will give the information and answer any questions if asked.
- D. The On Duty Supervisor, during whose shift the meeting occurs, will record a summary of the meeting in the Shift Report.

#### C4-19-04 CORRESPONDENCE

Staff will utilize the following correspondence in the communication system:

- 1. Interoffice Memo,
- 2. Shift Reports,
- 3. Incident Reports,
- 4. Inmate Request Forms,
- 5. Bulletin Boards, or
- 6. Other business and operational communications.

#### C4-19-05 STAFF MEETINGS

- A. The facility SCS will schedule a meeting with the staff of the facility at least monthly.
- B. The Facility SCS will provide the agenda items, participants, and time limit for preparation of an agenda. An assigned staff member will prepare the agenda and distribute it to participants one week prior to the meeting date.
- C. The Facility SCS will conduct the meeting with staff facilitating communications, enhancing conformity with policy and procedures, and seeking input.
- D. An assigned staff member will document the meeting in written minutes which may be shared with the staff, upon staff request.
- E. The District SCS will conduct monthly staff meetings via telephone, or in person, when possible.

Effective: 01/01/2012  
BIA-Adult Detention Facility Guidelines December 2010:

Revised:  
BIA ADF-2A-03; 2A-08;

#### C4-19-06 SPECIAL MEETINGS

- A. Any facility staff member may make a request through his/her immediate supervisor for a special meeting, if he/she feels a meeting is needed before the monthly meeting. If his/her immediate supervisor is the issue, the staff member will make a request to the next higher ranking supervisor.
- B. The Facility SCS will decide whether to meet and if a meeting is agreed to, will schedule the meeting.
- C. The Facility SCS will notify the District SCS of the special meeting and the issue(s) to be discussed.
- D. The District SCS may attend the meeting in person or by phone if he/she feels it is needed.
- E. A Law Enforcement Assistant will document the meeting in written minutes which may be shared with the effected parties.

#### C4-19-07 INTERAGENCY MEETING

- A. Quarterly, the District SCS and Facility SCS' will conduct interagency meetings to develop and maintain interagency coordination involving direct services, Tribal Detention Programs, etc. Meetings may be held telephonically.
- B. If possible, the Facility SCS will meet with law enforcement and other appropriate agencies to address current issues. The Facility SCS will send a summary report of these meetings to the District SCS.

#### C4-19-08 ANNUAL MEETING

Annually, the BIA OJS Deputy Director may hold a meeting with the Deputy Associate Director, Directorate of Operations, and others as deemed appropriate by the Deputy Bureau Director.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-03; 2A-08;

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## C4-20 LEGAL ASSISTANCE

### POLICY

OJS policy is to provide legal assistance to employees when civil actions are brought against them as the result of performing their assigned duties.

### RULES AND PROCEDURES

#### C4-20-01 GENERAL INFORMATION

- A. Legal Assistance in Civil Actions Resulting from Performance of Duty.  
The District SCS or Facility SCS will ensure that legal assistance is available to all personnel to protect their rights in civil actions that may result from the performance of their assigned duties. Staff may use counsel only in actions resulting from their official duties as employees. In any other breach of conduct or any breach outside the scope of employment, the staff member has no official recourse to utilize the agency's legal counsel.
- B. Tort Claims Act.  
All detention officers who operate under a federal commission, including a special law enforcement commission, are covered under the provisions of the Tort Claims Act (25 U.S.C. 2804 and 25 U.S.C. 4504).
- C. Identification of Legal Counsel.  
Each supervisor will determine and advise their personnel of the name and telephone number of their designated legal counsel.

#### C4-20-02 DEVELOPMENT OF A REFERRAL PROCESS

- A. If staff members need legal assistance, with the assistance of their immediate supervisor, they will submit a formal request to the District SCS or his/her designee to contact legal counsel.
- B. The District SCS or his/her designee will review and forward the request for legal counsel.
- C. If legal assistance is approved for staff members, the District SCS will advise them that the use of legal counsel has been authorized and notify his/her supervisor of the circumstances, individuals involved, and reasons for granting legal assistance.
- D. Once the legal assistance has been approved, staff members will meet with the facility's legal counsel, who will then consult with the District SCS to determine if further assistance is warranted.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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- E. If further assistance is required, the legal counsel will advise the District SCS, his/her supervisor, and all other concerned parties of all actions taken to keep them informed.
- F. If legal assistance is not deemed appropriate by legal counsel, staff members have no further right to use legal resources. If staff members still desire legal representation, it will be at the staff members' expense.
- G. No staff member can utilize the legal assistance program to bring personal suit or action against the agency itself.
- H. (b) (7)(E)

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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

## C4-21 CONTRACT AGENCIES/SERVICES

### POLICY

The Facility SCS will maintain effective and responsive working relationships with other programs and agencies that provide services and judiciary controls for inmates housed in the facility in order to use limited resources effectively, to coordinate programs and services provided to inmates in the Detention Facility, and to work toward development of an integrated approach that better serves the community.

When it becomes necessary or advantageous for an OJS Detention Facility to obtain outside services, the Facility SCS will consult with the District SCS to contract for outside services. In all cases where contract services are obtained, confidentiality clauses will be included.

### DEFINITIONS:

- A. Memorandum of Agreement (MOA) - This is a formal agreement between the facility and other agencies to provide services to fulfill program requirements. Personnel from other agencies operating in the facility are subject to all applicable rules and regulations of the facility.
- B. Outside Agencies - These are organizations which provide services, programs, products, equipment, tools, maintenance, repairs, and other functions that are essential to the facility in completion of its daily operations that cannot be generated or provided by the facility itself.
- C. Service Provider - A Service Provider is a person, agency, or organization that agrees to furnish materials or perform services for the facility at a specified price. Contractors operating in the facility are subject to all applicable rules and regulation of the facility.

### C4-21-01 IDENTIFICATION OF SERVICE PROVIDERS

- A. The Facility SCS will identify the specific outside agencies which will provide the programs and services, including name and telephone number of the health care provider, drug and alcohol program provider(s), etc.
- B. The Facility SCS will identify the specific services which will be provided by the providers.
- C. The District SCS will identify who will participate in the annual review.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

#### C4-21-02 SERVICE PROVIDER ROLES

A Memorandum of Agreement (MOA), which shall be updated as needed and reviewed at least annually, shall define the role and function of employees of public or private agencies providing a service to the facility. The MOA shall specify the relation of service providers to the authority and responsibility of the administrator.

1. Written policy and procedure will provide that Service Providers and contract personnel who work with inmates agree to abide by the facility's written policies on confidentiality of information.
2. Staff's proposal will include the project or task assigned, specific part of the task being worked on, type of assistance needed, any recommendations by staff regarding the Service Provider to be considered, an estimate of how long the Service Provider's services may be needed, and any information that staff making the request may have regarding the cost of the Service Provider's service.

#### C4-21-03 DEVELOPMENT OF CONTRACTS AND AGREEMENTS

- A. The District SCS will obtain approval to develop the contracts. Reference made to BIA and/or Tribal contracting procedures are given precedence.
- B. The District SCS will obtain instructions for developing the contract or agreement.
- C. The Facility SCS will:
  1. Determine who to contact within each agency to develop the contract or agreement.
  2. Identify any differences between the contracts and agreements.
  3. Determine when steps need to be taken to amend or terminate the contract.
  4. Review and submit MOA's through the District SCS to the Chief of Corrections for review.
- D. The Chief of Corrections will review the MOA and submit the approved MOA to the Area Solicitor for review and approval.
- E. The Area Solicitor will outline the rights and responsibilities of both parties to the contract to include rights of termination.
- F. The Facility SCS will document the requirement that service providers comply with the Detention Facility statement of purpose regarding security, safety, and interaction with inmates.



Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

- G. The Facility SCS will identify the training to be provided to service providers.
- H. The District SCS, in consultation with the Chief of Corrections and Area Solicitor, will identify the procedure for resolution of inter-agency disputes.
- I. The Facility SCS will initiate the MOA when it is approved.

#### C4-21-04 DEVELOPMENT AND IMPLEMENTATION OF CONTRACTS AND AGREEMENTS WITH OTHER JURISDICTIONS

- A. All contracts are approved by the Contracting Office. MOA's will go through the Solicitor.
- B. The District SCS will obtain approval from the Chief of Corrections to develop contracts. Reference made to BIA and/or Tribal contracting procedures will be given precedence.
- C. The District SCS will:
  - 1. Determine who to contact within each agency to develop the contract or agreement.
  - 2. Obtain procedures for developing the contract or agreement.
  - 3. Identify any differences between the contracts and agreements.
- D. The Facility SCS, with the District SCS's approval, will determine when steps need to be taken to amend or terminate the contract.
- E. The Chief of Corrections will review contracts and MOA's and submit them to the Area Solicitor for approval.
- F. The Area Solicitor will outline the rights and responsibilities of both parties in the contract, including:
  - 1. rights of termination,
  - 2. admission and release requirements,
  - 3. health care issues, and
  - 4. Program issues such as costs over and above per diem rates.
- G. The Facility SCS will identify jurisdictional issues including determination of jurisdiction in the event of an escape or unauthorized absence.
- H. The Facility SCS will determine who is responsible for transportation prior to admission and upon release.

#### C4-21-05 DEVELOPING A MEMORANDUM OF AGREEMENT

- A. Facility staff and the potential Service Provider will meet to determine the needs of the Detention Facility and to determine what services can be provided by the Service Provider.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

- B. If the services that can be provided by the Service Provider are beneficial and create efficiency for the government, the Facility SCS will consult with the District SCS and the Chief of Corrections to inform them of the needs of the Detention Facility and the ability of the Service Provider to meet those needs.
- C. The Facility SCS and the Service Provider will develop a Memorandum of Agreement (MOA) to include the following:
  - 1. When and where the meetings will take place,
  - 2. What support services will be required,
  - 3. Costs of services, if applicable,
  - 4. How information and inmates will be documented,
  - 5. The impact the service may have on the Detention Facility's operation,
  - 6. If staff will need to be interviewed,
  - 7. How the service will be evaluated,
  - 8. Rights and responsibilities of both parties to the contract, including rights of termination,
  - 9. Training to be provided to the Service Provider, and
  - 10. Documents the requirement that Service Providers comply with the Detention facility statement of purpose regarding security, safety, and interaction with inmates.
  - 11. Confidentiality clause.
- D. The Facility SCS will forward the MOA to the Chief of Corrections through the District SCS for review.
- E. If the District SCS and Chief of Corrections approve the MOA, the Chief of Corrections will forward the MOA to the Area Solicitor for legal review.
- F. If the Area Solicitor approves and a contract is awarded, facility staff will implement the plan and obtain the Service Provider's services.
- G. The Facility SCS will update the MOA as needed but will review it at least annually.
- H. If applicable, the Service Provider will submit an invoice stating services provided and payment request to the Awarding Official.

#### C4-21-06 SERVICE/DELIVERY

- A. The Service Provider will follow the procedures for Professional Visits regarding access and conduct.
- B. The Facility SCS will designate a staff member as a liaison with the Service Provider and that person will monitor and coordinate the activities.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

- C. Any staff member who observes inappropriate behavior of the Service Provider will write an Incident Report and if they believe the Service Provider's actions will hinder the safety, security, and orderly operation of the facility, will notify the On Duty Supervisor.
- D. The On Duty Supervisor will immediately respond to the situation and take the appropriate actions.
- E. The On Duty Supervisor will contact the Facility SCS and inform him/her of the incident and any actions taken.
- F. The liaison staff member will obtain a copy of the Incident Report, share it with the District SCS and the Facility SCS and file a copy with the Law Enforcement Assistant.

#### C4-21-07 MEETINGS

- A. The Facility SCS will schedule periodic meetings with community agencies and groups that have MOA's with the Detention Facility.
- B. The Facility SCS will schedule monthly meetings with the appropriate Courts and local law enforcement agencies.

#### C4-21-08 OBTAINING TRAINING AND OUTSIDE AGENCY SERVICES

- A. Any staff member who feels he/she could benefit from the assistance of an outside Service Provider for training or to provide services to the Facility may submit a request in writing to the Facility SCS.
- B. If the Facility SCS agrees that a Service Provider for training or outside services is needed, he/she will submit the proposal through the District SCS to the Chief of Corrections for consideration, with recommendations regarding who might be used, how their services might be utilized, and the length of time they might be required.
- C. If the Facility SCS, District SCS, or Chief of Corrections denies the request for training or outside services, the Facility SCS will notify the requesting staff member either directly or in writing, explaining the issues or problems involved.
- D. If the Chief of Corrections approves, he/she will check with IPA to determine if they can provide the training.
- E. The Chief of Corrections will coordinate with IPA to schedule the training.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

- F. If IPA cannot provide the training, the Chief of Corrections will provide IPA with the name of the trainer and the training curriculum to determine if IPA will sanction the training.
- G. The Chief of Corrections will contact the District SCS to notify the Facility SCS who will arrange for a contract or other necessary paperwork following established procurement practices.
- H. The Facility SCS will inform the requesting staff member of the decision to retain a Service Provider for training or outside services.
- I. The Facility SCS will contact the Service Provider to develop a plan for the utilization of the Service Provider's services.
- J. The Facility SCS will obtain an SF 182, using a five-part form if no costs are involved and the ten-part form if costs are involved.
- K. The Facility SCS will develop a contract or MOA.
- L. Facility staff will implement the plan and obtain the Service Provider's services.

#### C4-21-09 CONFIDENTIALITY OF INFORMATION

- A. Facility staff will provide the Service Provider with a Release of Information Form, a copy of inmate files if needed, and other relevant policy and procedures for review emphasizing that any information gathered through the Service Provider's work in the Detention Facility is considered confidential.
- B. The Service Provider will sign and date the Policy and Procedure Acknowledgment indicating his/her comprehension and agreement to abide by the policies.
- C. Staff will also initial the Policy and Procedure Acknowledgment as witness to the Service Provider's signature.
- D. Staff will file the signed Policy and Procedure Acknowledgment in a file developed for that Service Provider.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

## C4-22 ADMINISTRATION OF HEALTH CARE SERVICES

### POLICY

The Office of Justice Services detention facility staff will ensure the effective delivery of routine and emergency health care to inmates and in accordance with proven standards of care without compromising public safety concerns.

### RULES AND REGULATIONS

#### C4-22-01 GENERAL

- A. The Facility SCS, with the assistance of the District SCS, shall develop a yearly agreement in the form of a Memorandum of Understanding (MOU) or contract, based on a National MOU between BIA and IHS, with any licensed health care provider, i.e., local Indian Health Service (IHS), Tribal Health Program, or appropriate health care entity that provides emergency, acute, chronic, and preventative medical, dental, mental health, and substance abuse services.
- B. These services are essential to ensure a healthy inmate population and to protect inmates and staff from infectious diseases or potential adverse effects of substance abuse. The services shall provide for a full range of health care services, including routine and emergency medical and surgical care, obstetrics, gynecology, dental care, including surgery and prosthetics, mental health care, including crisis intervention treatment for substance abuse detoxification and withdrawal intervention. The agreement shall identify the services that may be provided within the detention facility and those that will be provided at the health care provider's facility.
- C. The yearly MOU agreement will define the level of care to be provided by the health care provider within the detention facility and outside the facility. Those inmates whose need for care exceeds what is feasible in the detention facility will be housed in a clinical setting available to and staffed by a health care provider.

#### C4-22-02 DEVELOPMENT AND IMPLEMENTATION OF A WRITTEN AGREEMENT

- A. The facility SCS will coordinate a meeting with an appropriate health care provider, and document all meetings in the form of meeting minutes. A copy of the meeting minutes will be kept at the facility, and a copy provided to the health care provider and District SCS.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

- B. The meeting will focus on the identification of what medical services are needed, and a written outline of such will be provided to the health care provider.
- C. The facility SCS or designee will provide the following information to the health care provider:
  - 1. The facilities average daily population.
  - 2. Gender of inmates.
  - 3. Average age of the inmates.
  - 4. Most prevalent health problems.
  - 5. Health-oriented training of facility staff, and the facility's capabilities to provide in-house care.
  - 6. Level of care that can be provided in the facility.
  - 7. A list of equipment needed to accomplish this level of care, and the space required to accomplish the health care provider's duties.
  - 8. In-house and outside medical services requested.
- D. Once the two parties have agreed upon services to be provided and how, the facility SCS will develop an MOU agreement outlining the services negotiated. The agreement shall also include language indicating a review process, so any identified concerns by either party during the contract period may be discussed, i.e. formally or informally, via telephonic discussions, or monthly/quarterly meetings. The following should be considered when drafting the MOU agreement:
  - 1. How health care services may be accessed on a 24-hour basis, which includes sick call.
  - 2. How will referrals be made, taking the following into consideration:
    - a. Whether or not initial assessments, if required, will be made by medical personnel in the facility.
    - b. If there are no in-house medical personnel, what assessment occurs, and who determines a medical emergency.
    - c. On whose authority are referrals made.
    - d. What basic medical training can be provided to detention staff, to enable them to accomplish routine medical assessments.
- E. The agreement will be forwarded to the District SCS for review and then to the Chief of Corrections for final review and signature approval. Once the agreement has been concurred upon by the District SCS/Chief of Corrections; the Facility SCS, will meet with the health care provider to have the document signed and dated by both parties. The agreement shall be kept on file at the facility, with a copy forwarded to the District Office and the Albuquerque Office.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

#### C4-22-03 ANNUAL REVIEW OF WRITTEN MOU AGREEMENT

- A. Prior to the end of the yearly agreement, the Facility SCS and the health care provider shall meet to review the health care contract. The Facility SCS will ensure that the meeting is documented in the form of meeting minutes
- B. The meeting between the Facility SCS and the health care provider should include discussion of any concerns or problem areas encountered during the year, and any changes/modifications that are needed to the agreement.
- C. Once the meeting is concluded the Facility SCS will draft a new yearly MOU agreement incorporating any changes or modifications agreed upon, and coordinating the document in the same manner as the original MOU agreement.

#### C4-22-04 TELEPHONIC COMMUNICATION/MONTHLY-QUARTERLY MEETINGS

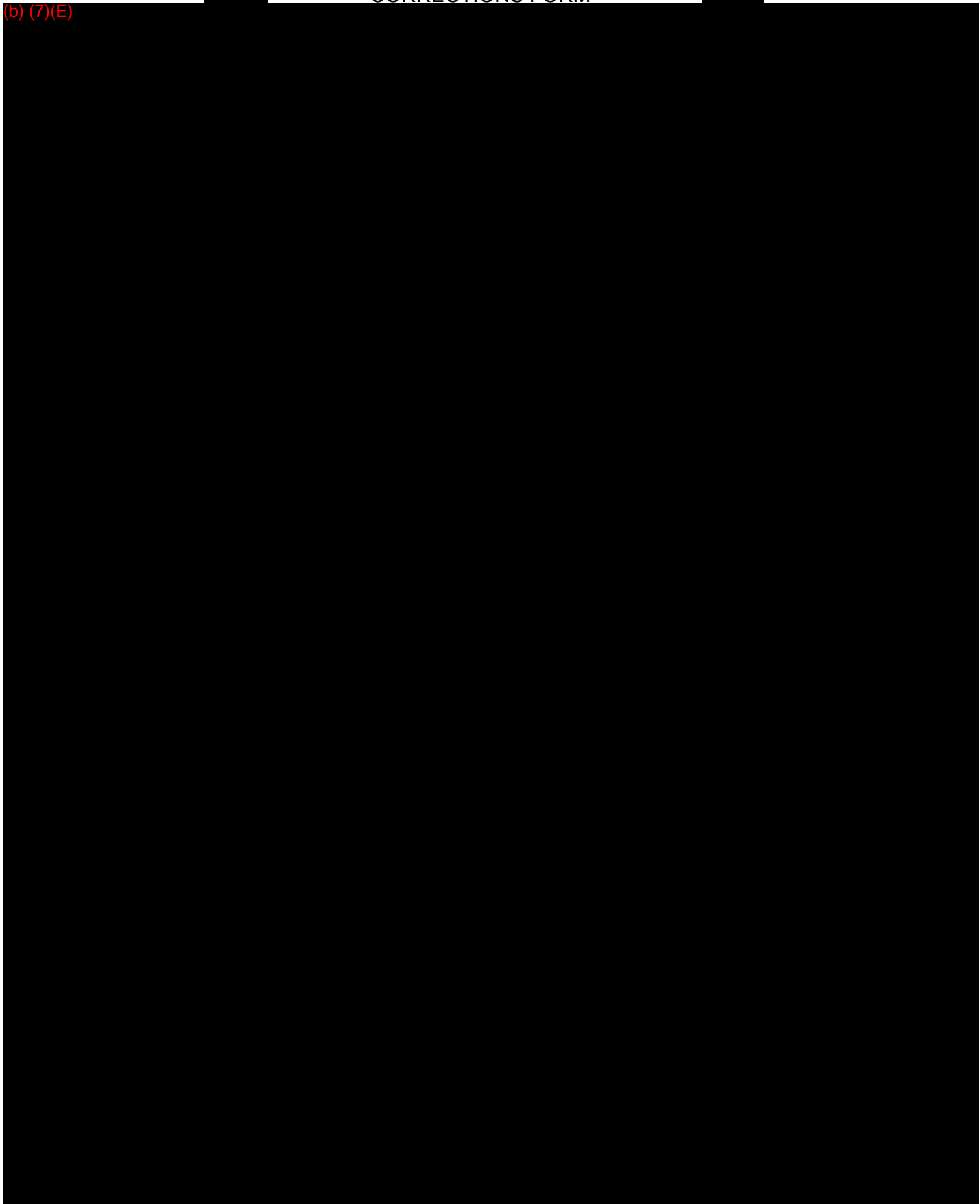
- A. The Facility SCS should document any pertinent discussions conducted with the health care provider regarding the MOU agreement or health care issues.
- B. The Facility SCS shall ensure the meetings are held in accordance with the MOU agreement, and documented.
- C. A copy of the meeting minutes will be provided to the health care provider and the District SCS.

#### C4-22-05 TRACKING AND DEVELOPMENT OF ANNUAL STATISTICAL REPORT

- A. During the year the Facility SCS should ensure that services by health care providers are documented and tracked. The facility SCS may use documentation provided by the health care provider. This should include emergency and routine care, and any concerns/problems encountered. The types of services to be tracked include, but are not all limited to: type and number of dental, medical, mental health, and substance abuse problems treated annually. This will enable the Facility SCS to plan for and provide the staffing, equipment, and staff training to meet the needs of the inmate population.
- B. The Facility SCS will provide their information on the Annual Statistical Report (See Appendix A). This report will be submitted to the District SCS. The District SCS will prepare an annual report for their district, and forward a copy to the Chief of Corrections. This information will be used for budget formulation regarding programs, services and staffing.

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BIA-Adult Detention Facility Guidelines December 2010:

## C4-31 STAFF PROBATIONARY PERIOD, PERFORMANCE REVIEWS, AND PROMOTION

### POLICY

OJS Detention Facilities use the Bureau of Indian Affairs probationary period for newly hired and promoted employees. There is a system to review Detention Facility staff's performance in order to give feedback regarding staff performance and to assist staff in their career development.

### RULES AND PROCEDURES

#### C4-31-01 NEW EMPLOYEES

All newly hired employees must complete a probationary period.

#### C4-31-02 PROMOTED EMPLOYEES

An employee who is promoted in a competitive class will serve a one year probationary period from the date of his/her permanent appointment.

#### C4-31-03 LATERAL TRANSFERS

Any individual who has successfully completed his/her probationary term with another OJS Detention Facility and laterally transfers to another Detention Facility will not be required to complete another probationary term with this agency if he/she left in good standing.

#### C4-31-04 STAFF PERFORMANCE REVIEWS

- A. OJS Detention Facility staff will adhere to the Administrative Personnel Policy and Revised Personnel Policies.
- B. For questions and concerns regarding staff performance reviews, staff will contact the Facility SCS.

#### C4-31-05 PROBATIONARY PERFORMANCE REVIEWS

- A. The Facility SCS will monitor the staff member to determine whether or not the staff member is meeting his/her job requirements.
- B. The Facility SCS will correct the staff member's behavior as needed to help him/her meet job requirements.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

- C. Within 30 days of employment, the Facility SCS will meet with the staff member to formally review and provide feedback.
- D. If the Facility SCS determines the staff member's performance is not satisfactory he/she will document this in a written report.
- E. The Facility SCS will provide a copy of the report to the staff member and Human Resources Department for filing in the staff member's personnel file.
- F. The Facility SCS will repeat this process at 60 days and 90 days of employment and beyond if the staff member's performance does not improve.
- G. If the staff member's performance does not make satisfactory improvement during the probationary period, the Facility SCS may pursue termination.

#### C4-31-06 ANNUAL PERFORMANCE REVIEWS

- A. Approximately three weeks prior to a staff member's anniversary date, the supervisor will request written input from the staff member for the evaluation, if the staff member wishes to.
- B. The supervisor will review the written input and prior evaluations for that year and complete the employees Performance Evaluation.
- C. The supervisor will forward the Performance Evaluation to the Facility SCS for review and modifications, if needed.
- D. The Facility SCS will return the Performance Evaluation to the supervisor and discusses it with the supervisor, if necessary.
- E. The supervisor will meet with the staff member to discuss the Performance Evaluation.
- F. The staff member will sign the Performance Evaluation and indicate whether he/she will be attaching comments in a memorandum.
- G. The supervisor will attach the Performance Evaluation, written staff member input and the staff member's comments memorandum together and forward them to the Facility SCS.
- H. The Facility SCS will sign the Performance Evaluation and prepare a letter to the Human Resources Department indicating the result of the performance review.
- I. The Facility SCS will file the copies in the staff member's Detention Facility personnel file.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-02; 2A-05; 2A-09;

## C4-32 STAFF PLANS-STAFFING, WORKLOADS, AND ASSIGNMENT

### POLICY

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### RULES AND PROCEDURES

#### C4-32-01 DEVELOPING AND MANAGING SCHEDULES

- A. The Facility SCS will complete the facility's Post Analysis by the end of April every year or upon any significant change in mission or capacity and give it to the District Corrections SCS for review.
- B. The District SCS will review the Post Analysis by May 15 of each year.
- C. The District SCS will confer with the Facility SCS about the Post Analysis, making revisions as needed to reach consensus by the end of May.
- D. After review, the District SCS will forward the Post Analysis to the Chief of Corrections.

#### C4-32-02 TEMPORARY POSTS-PERMANENT POSTS

- A. All facility posts will be managed using written post orders. When a new temporary or permanent post is created, the Facility SCS will ensure written post orders are initiated and maintained for the post.
- B. If, prior to April 30, the Facility SCS notices the need for a temporary post, he/she will bring it to the attention of the District SCS.
- C. If the District SCS agrees with the assessment of the Facility SCS regarding the need for a temporary post, he/she will establish the temporary post.
- D. The Facility SCS will increase staffing if necessary by placing staff on overtime status and include the increased staffing on the daily schedule.
- E. Prior to the end of the 90 day period of the temporary post, the Facility SCS will make a determination as to whether the temporary post is necessary as a permanent post.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-02; 2A-05; 2A-09;

- F. If the Facility SCS determines that the post needs to become permanent, he/she will submit a memorandum prior to the end of the 90 day period to the District SCS which outlines the post title, duties of the post, justification of need for the post, and the facility's proposal as to how the post ought to be created (i.e. close another post, request additional staff).
- G. The District SCS will forward the memorandum to the Chief of Corrections for approval.

#### C4-32-03 MASTER AND DAILY SCHEDULES

- A. The District SCS will prepare the Master Schedule after receiving an approved organizational chart signed by the Deputy Director, Office of Justice Services.
- B. The Facility SCS will prepare the Daily Schedule at least five days in advance of its effective date.
- C. If the On Duty Supervisor notices that the facility lacks sufficient staff to fill a post approved on the Post Analysis, he/she will indicate this on the Master and Daily Schedules by writing "vacant due to staff shortage."
- D. The On Duty Supervisor will confer with the Facility SCS to determine which posts should remain vacant due to staff shortage or if additional staff are to be called in to cover the vacant post.
- E. The On Duty Supervisor will turn in the Daily Schedule with the midnight shift report.
- F. The Facility SCS will maintain the Daily Schedules in a file in his office.

#### C4-32-04 CLOSING OR COLLAPSING POSTS

- A. The Facility SCS will identify posts within the facility which need to be collapsed when it is necessary to provide security coverage for other more vital areas.
- B. The Facility SCS will prepare a minimum staffing plan in accordance with the determination to close or collapse posts.
- C. The Facility SCS will forward the minimum staffing plan to the District SCS for review and approval.
- D. If any changes are necessary based upon this review, the District SCS will advise the Facility SCS.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-02; 2A-05; 2A-09;

- E. After the Facility SCS and District SCS confer and reach an agreement about any changes necessary, the Facility SCS will incorporate those changes into the facility's minimum staffing plan.
- F. The District SCS, the Facility SCS, and the Chief of Corrections will review and update the minimum staffing plan as necessary.
- G. The Facility SCS will incorporate the minimum staffing plan into the facility's roster documents.

#### C4-32-05 POST AUDIT COORDINATOR

- A. The District SCS serves as the Post Audit Coordinator.
- B. The Post Audit Coordinator will review the Post Analysis, Master Schedule, and Daily Schedule on at least a quarterly basis to ensure that the procedure outlined in this policy has been implemented.
- C. The Post Audit Coordinator will assist the Facility SCS in the implementation of roster management policies and procedures.
- D. The Post Audit Coordinator will conduct an on-site staff analysis, on at least an annual basis, to ensure that staff are being rostered and deployed in conformance with:
  - 1. the facility's approved Post Analysis,
  - 2. the facility's Master Schedule and Daily Schedules, and
  - 3. the procedures set forth in this policy.
- E. If during the on-site analysis the Post Audit Coordinator determines that a change is necessary in the facility's staffing, he/she will submit a recommendation for change to the Chief of Corrections.
- F. The Chief of Corrections will confer with the District SCS concerning this recommendation and they will make a decision about whether a change is necessary.
- G. If the District Corrections SCS and the Chief of Corrections conclude that a change is necessary, they will submit a proposal to the Deputy Associate Director of Operations for review and approval.
- H. The Deputy Associate Director of Operations will review, approve, modify or deny the change and submit it to the Central Office.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-02; 2A-05; 2A-09;

#### C4-32-06 ASSIGNMENT MASTER SCHEDULE

- A. The Facility SCS will recruit and recommend selection of Detention Facility staff members.
- B. Staff members will submit a Memorandum, via Staff mailboxes, to the Facility SCS, during the month of January, which lists the following information:
  - 1. Name, and
  - 2. Choice of three shifts, listed in preferential order.

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- D. The District SCS and Facility SCS will review the Master Schedule and approve or modify the schedule by the second week of February.
- E. The Facility SCS and/or District SCS may schedule shift rotations and individual staff shift changes as needed to increase the efficiency of detention operations.
- F. The Facility SCS and/or District SCS may have selected staff remain in a position after others have rotated if the selected staff member benefits the facility in meeting its mission.
- G. The Facility SCS will distribute the approved Master Schedule to the staff, via Staff mailboxes and email.
- H. The District SCS will maintain a current Master Schedule on file for reference.

#### C4-32-07 DAILY SCHEDULE

- A. The Facility SCS will utilize the Master Schedule to develop a Daily Schedule for each shift one week before the scheduled work period.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-2A-02; 2A-05; 2A-09;

- B. The Facility SCS will create a Daily Schedule that covers a two week period. Schedules may require frequent updating due to illness or inability of staff to be at work.
- C. (b) (7)(E) [REDACTED]
- D. The Facility SCS will forward the completed Daily Schedule to the staff, via Staff mailboxes, one week before the scheduled work period.
- E. The Facility SCS will forward the completed Daily Schedule to the District SCS, Law Enforcement Assistants, via Staff mailboxes or E-mail, one week before the scheduled work period. The Lead Telecommunications Operator and Chief of Corrections may receive the Daily Schedule upon request.
- F. The Facility SCS will immediately forward any temporary or permanent changes in the schedule to the affected staff, On Duty Supervisors via Staff mailboxes. If the change takes place immediately, affected staff will be contacted by telephone.
- G. The Facility SCS will place a copy of the Daily Schedule in a file in his/her office for future reference and copies of the Daily Schedule will be maintained on file for a period of two years.
- H. The Facility SCS will make changes to the Daily Schedule based upon the actual number of staff members reporting each day, work details, and court assignments.
- I. The Facility SCS will inform the On Duty Supervisor in person or by telephone of changes in the Daily Schedule which effect the post assignments in the immediate future.

#### C4-32-08 TRANSFER

The Servicing Personnel Office (SPO) manages transfers to other agencies in accordance with approval from the sending and receiving Districts and Agencies as well as the Chief of Corrections.

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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## C4-35      PERSONNEL FILES

### POLICY

The Servicing Personnel Office (SPO) keeps and maintains an electronic personnel record for all Detention Facility staff which contains information pertinent to, hiring, job performance, promotions, disciplinary actions, and specific materials related to employment.

### RULES AND PROCEDURES

#### C4-35-01 PERSONNEL FILES

- A. Detention Facility staff will adhere to the BIA BIAM and OPM manuals.
- B. For questions and concerns regarding personnel files, staff Employees should review their Electronic Official Personnel File. Each District is designated a specific HR contact and back up contact.
- C. The Indian Police Academy will maintain a training file for each employee.



Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

## C4-37 OTHER STAFF GUIDELINES

### POLICY

The Office of Justice Services is committed to providing guidelines to staff members in order to ensure a safe and hospitable work environment.

**NOTE:** Some services listed in this directive may not be available at all OJS Detention Facilities, based on facility size, staffing, and resources.

### RULES AND PROCEDURES

#### C4-37-01 EQUAL EMPLOYMENT OPPORTUNITY

- A. The Office of Justice Services follows an established recruitment and hiring process in accordance with the Indian Preference Act in order to promote consistency and fairness in hiring. Within the scope of Indian Preference, all candidates will receive consideration without regard to race, color, sex, religion, sexual orientation, national origin, or other non-merit factors.
- B. All Detention Facility staff will adhere to the BIA Directives.
- C. All Detention Facility staff will adhere to the BIA BIAM and OPM manuals.
- D. For questions and concerns regarding equal employment opportunity, staff may contact the appropriate designated HR personnel at your Servicing Personnel Office. All matters other than individual requests must be sent through the District SCS and Chief of Corrections.

#### C4-37-02 INSURANCE COVERAGE

- A. The Federal Government is exempt from maintaining insurance coverage.
- B. All Detention Facility staff will adhere to the BIA BIAM and OPM manuals.

#### C4-37-03 PART-TIME STAFF

Detention Facilities may use part time staff for manpower assistance when authorized through the chain of command and approved by the OJS Deputy Director.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

#### C4-37-04 SHIFT BRIEFINGS-REPORTING FOR WORK

Due to local conditions at the various OJS Detention Facilities, each Facility SCS is responsible for establishing specific times for staff to report to work and attend shift briefings.

#### C4-37-05 STAFF ACCIDENT AND/OR INJURY

A. Detention Facility staff members that are injured on duty will immediately contact their supervisor and comply with the procedures in the BIA Personnel Policy Manual to ensure the employee receives immediate treatment and compensation for work-related injuries.

1. All Detention Facility staff will adhere to the BIA BIAM and OPM manuals.
2. For questions and concerns regarding staff accident and/or injury, staff may obtain contact information from the Facility SCS, Law Enforcement Assistant, or Agency Safety Officer.

B. Responding to Staff Accidents and/or Injuries

1. All on the job injuries and accidents will go through procedures outlined on [www.smis.doi.gov](http://www.smis.doi.gov).
2. Reporting will be by SIR document forwarded through the chain of command.
3. Upon notification of a staff member accident or injury, the On Duty Supervisor will verbally contact the Facility SCS.
4. The Facility SCS will meet with the injured staff member and complete a CA-1 Form.
5. The Facility SCS will instruct the staff member to use the online process using the link in B.1. above.
6. The Facility SCS will submit the completed CA-1 Form to the Agency Safety Officer.
7. Within seven days, the Facility SCS will complete the Supervisor Accident/Incident Report Form and submit it to the Agency Safety Officer.

#### C4-37-06 STAFF BREAKS

Due to limited staffing, staff may not be provided a set number of breaks per shift. (b) (7)(E)

1. If needed, staff may request a break during lockdown periods or when inmates are in a supervised activity.
2. Staff will request a break from the On Duty Supervisor.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

3. (b) (7)(E) [REDACTED]
4. (b) (7)(E) [REDACTED]
5. (b) (7)(E) [REDACTED]
6. (b) (7)(E) [REDACTED]
7. (b) (7)(E) [REDACTED]

#### C4-37-07 STAFF GRIEVANCES

- A. All OJS detention facility staff will adhere to the BIA BIAM and OPM manuals regarding the grievance process which allows staff to seek timely solutions to legitimate grievances without fear of reprisal; allows the facility to identify and resolve operational problems, and helps maintain a stable environment for staff.
- B. For questions and concerns regarding staff grievances, staff may obtain contact information for a Personnel Specialist at the Servicing Personnel Office.

#### C4-37-08 STAFF RESOURCE MATERIAL

- A. OJS Detention Facilities may provide internal and external references and resources to all staff to complement the training and staff development program and all training needs to give staff a variety of materials and training opportunities to enhance their job skills and keep personnel current with changes in their career field.
- B. Employees will check with the Facility SCS regarding the availability of training materials.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

## C4-37-09 STAFF MAIL

### A. Incoming Mail

1. The Law Enforcement Assistant will pick up mail for the Detention Facility or it will be delivered to the facility via US mail. The LEA or a staff member will log all incoming mail on a Mail Log.
2. The Law Enforcement Assistant will sort through the mail and separate inmate mail from staff mail.
3. The Law Enforcement Assistant will date stamp the envelope of incoming staff mail.
4. If the Law Enforcement Assistant receives official mail for former employees, he/she will give the mail to the staff member who replaced the former employee. (For example, if mail is addressed to John Smith who was the Maintenance Mechanic, the mail will go to Joe Black who is the new Maintenance Mechanic.)
5. If the Law Enforcement Assistant receives personal mail for employees, the LEA will verbally notify the Facility SCS and will give the Facility SCS the personal mail.
6. The Facility SCS will counsel with the employee about receiving personal mail and give the mail to the employee. In general, receipt of personal mail at the Detention Facility is not authorized.
7. The Law Enforcement Assistant will place staff mail in the staff mailboxes.
8. When the Law Enforcement Assistant receives departmental mail, he/she will deliver it to the staff mailboxes.
9. The Facility SCS may authorize delivery of personal parcel packages upon request by a staff member.
10. Detention Staff Members will check their mailbox each work day.

### B. Outgoing Mail

1. Detentions Staff Members will place any official outgoing mail in the outgoing mail box.
2. The Law Enforcement Assistant will log outgoing mail in the Mail Log, stamp, and mail all items.

### C. Outgoing Departmental Mail

1. A Detention Staff Member sending departmental mail will obtain an interoffice envelope.
2. The Detention Staff Member will place the correspondence in the envelope and include the recipient's name and office.
3. Prior to the beginning of his/her shift or after his/her shift, the Detention Staff Member will take the envelope to the Law Enforcement Assistant for distribution.
4. The Law Enforcement Assistant will process and ensure delivery of departmental mail to other BIA agencies.



Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

#### C4-37-10 STAFF MEDICAL CONDITIONS AND MEDICATION USAGE

In order to promote a safe environment for staff, visitors, and inmates, Detention Facility staff must report to their Supervisors if they have any medical conditions or are taking medications which may effect their ability to work or operate a motor vehicle.

1. Upon employment and every five years, staff members will complete the Self Identification of Handicap form and submit it to the Law Enforcement Assistant who will forward it to the Area Branch of Personnel Management.
2. Detention Facility staff will adhere to the BIA BIAM and OPM manuals.
3. For questions and concerns regarding staff medical conditions and medication usage, staff members may contact the Facility SCS.

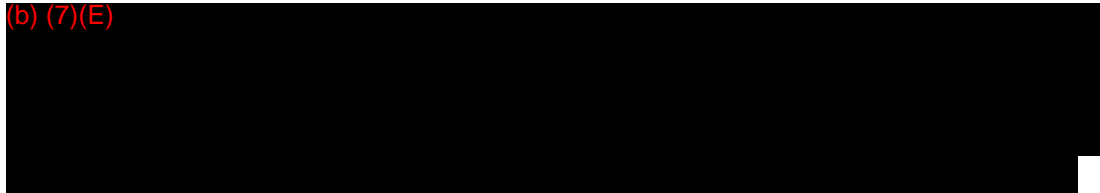
#### C4-37-11 STAFF OUT PROCESSING

OJS Detention Facility staff who are terminated, resign, or retire will follow BIA policy which provides guidelines and standards for separation from employment.

1. Detention Facility staff will adhere to the BIA BIAM and OPM manuals.
2. For questions and concerns regarding staff out-processing, staff members may contact the Facility Law Enforcement Assistant.

#### C4-37-12 UNANTICIPATED SHORTAGES OF STAFF

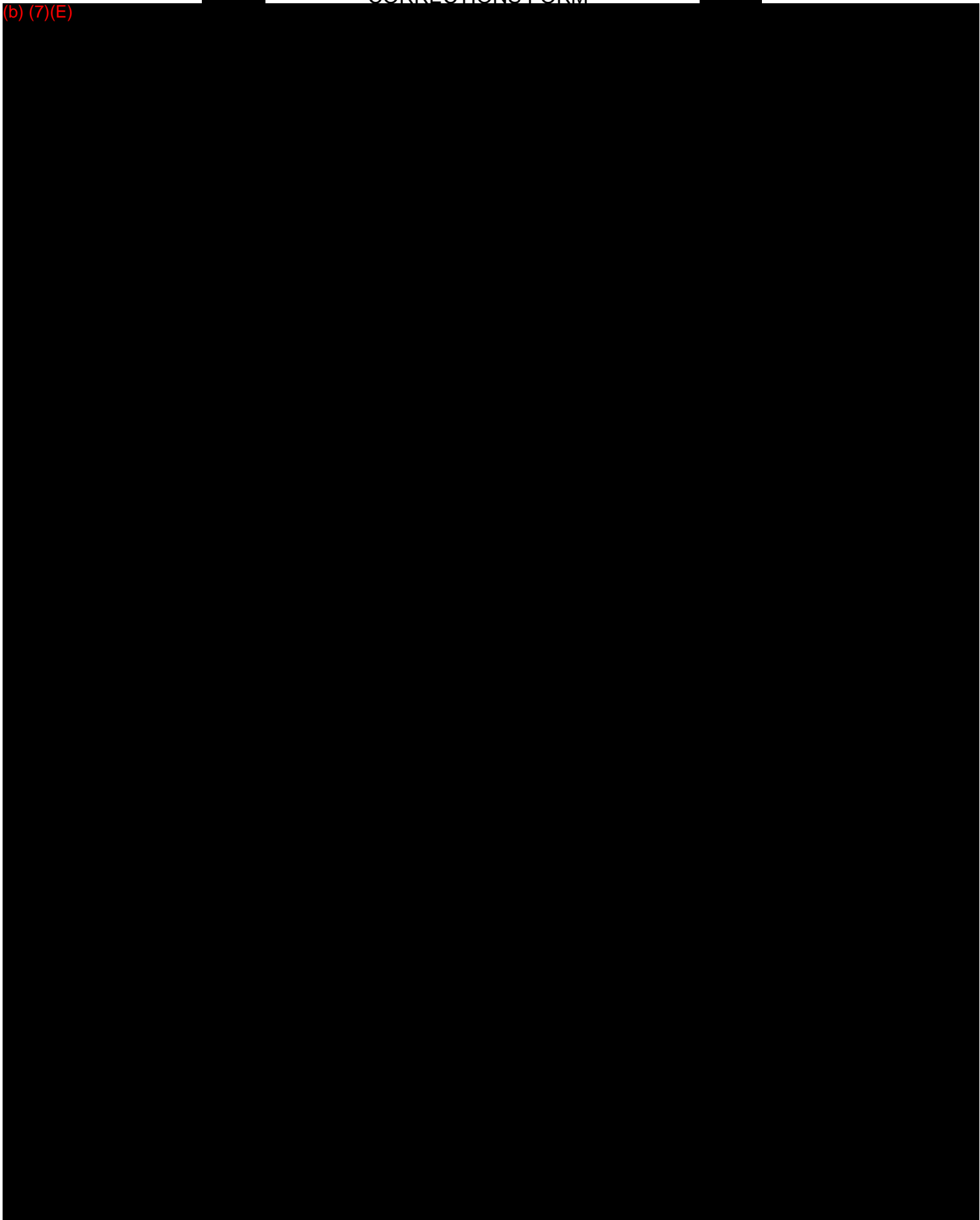
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B. Should staffing shortages be due to a work stoppage, refer to section C2-16 for guidelines.

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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## C4-38 VOLUNTEER PROGRAMS

### POLICY

Volunteers can provide needed assistance in rendering services to inmates. When approved, volunteers will be used at OJS detention facilities to improve delivery of services.

### RULES AND PROCEDURES

#### C4-38-01 VOLUNTEERS

- A. OJS Detention Facilities may be authorized to utilize community resources to provide programs and promote community involvement in administering quality services to their inmate population. The Directorate of Operations Deputy Associate Director will approve all facility requests to utilize volunteers.
- B. Development of Volunteer Plan
  1. When a volunteer program is approved, the Facility SCS will appoint a staff member to serve as the Volunteer Coordinator.
  2. The Facility SCS and Volunteer Coordinator will determine the following:
    - a. Locations for volunteer services,
    - b. How the services will be supervised at any given time,
    - c. Types of services being provided, and
    - d. The number and types of inmates attending.
  3. The Volunteer Coordinator will develop volunteer job descriptions.
  4. The Volunteer Coordinator and the Training Coordinator will identify areas in which volunteers must receive training and incorporate these areas into volunteer orientation training.
  5. The Volunteer Coordinator will develop a list which indicates the type of agencies, groups, or individuals needed.
  6. The Volunteer Coordinator will initiate the recruitment of volunteers.
- C. Volunteer Recruitment
  1. The Volunteer Coordinator will contact agencies and individuals who can provide services relevant to the program needs of the inmate population.
  2. Depending on response, the Volunteer Coordinator will telephone agencies and individuals requesting an appointment to make a presentation on the Volunteer Program.
  3. At the presentation, the Volunteer Coordinator will distribute the Volunteer/Service Provider Application Form.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

4. Any interested person may complete the Volunteer/Service Provider Application Form and return it to the Volunteer Coordinator, along with a copy of a valid photographic identification document issued by a governmental entity at the presentation or at a later date.

#### D. Screening and Selection

1. The Volunteer Coordinator will review the Volunteer/Service Provider Application Form. If the form is not complete, the Volunteer Coordinator will return the form to the applicant requesting the needed additional information.
2. When the Volunteer Coordinator reviews the Volunteer/Service Provider Application Form and determines that the applicant or the proposed services are not appropriate, he/she will make this recommendation to the Facility SCS.
3. If the Facility SCS agrees, the Volunteer Coordinator will notify the applicant in writing of the decision to reject his/her Volunteer/Service Provider Application Form and will file a copy of the rejection letter with the Volunteer Application Form in the Facility SCS's Office.
4. If the Facility SCS does not agree, the Volunteer Coordinator will continue with the screening and selection process.
5. If the Volunteer Coordinator determines the applicant and services are appropriate, the Volunteer Coordinator will schedule a personal interview with the applicant.
6. At the interview, the Volunteer Coordinator will have the applicant sign a Release of Information- Staff or Volunteer/Service Provider.
7. The Volunteer Coordinator will complete the Volunteer/Service Provider Questionnaire as he/she asks the applicant for information or questions.
8. At the conclusion of the interview, the Volunteer Coordinator will determine if the application process should proceed.
9. If needed, the Volunteer Coordinator will recommend to the Facility SCS to stop the application process and deny the application.
10. The Facility SCS will make a decision and proceed accordingly.
11. If the Volunteer Coordinator finds any derogatory information about the applicant at any time during the following background investigation he/she will make a recommendation to the Facility SCS to stop the application process and deny the application.
12. The Volunteer Coordinator will do the following with the assistance of a law enforcement Special Agent. The Volunteer Coordinator will complete the (b) (7)(E)

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Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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13. If the applicant provides a professional service, the Volunteer Coordinator will verify his/her certification by requesting copies of the licenses, degrees, etc. and if questionable, will verify authenticity with the issuing organization.
14. The Volunteer Coordinator will approve or deny the applicant based upon the information obtained in the interview, subsequent investigation, and personal references.
15. The Volunteer Coordinator will inform the Facility SCS of his/her recommendation.
16. If denied because of an outstanding warrant, the Facility SCS will notify the appropriate authorities, instruct the Volunteer Coordinator to reject the Volunteer/Service Provider Application Form, forward a letter of rejection to the applicant, and file a copy of the rejection letter with the Volunteer/Service Provider Application Form in the Facility SCS's Office.
17. If the applicant is selected, the Volunteer Coordinator will inform the applicant in writing or by telephone that he/she has been granted an interview with the Facility SCS, and forward his/her review to the Facility SCS for selection.
18. The Facility SCS will review all memorandums, interview the applicant, and forward the applicant's information to the Volunteer Coordinator for filing.
19. The Facility SCS will make a decision on whether or not to use the volunteer and notify the Volunteer Coordinator.
20. The Volunteer Coordinator will inform the applicant in writing that he/she has been selected.
21. The Volunteer Coordinator will notify the facility staff, via memorandum, of the role and duties of the volunteer.
22. The Volunteer Coordinator will update the Approved Volunteer List.

#### E. Volunteer Orientation and Training Requirements

1. Upon successful solicitation of volunteers, the Volunteer Coordinator will require all volunteers to complete Orientation Training.
2. The Training Officer will orient and train each volunteer prior to being allowed access to the facility.
3. The Volunteer Coordinator will assist the Training Officer in conducting Orientation Training that pertains to the service the volunteer will provide in the facility, which includes but is not limited to:
  - a. Doors, intercoms, and other security devices,
  - b. Facility rules and regulations,
  - c. The days and times volunteer services are to be provided in the facility,

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

- d. A written copy of the volunteer's job description,
- e. The proper response to emergency situations in the facility,
- f. A facility tour,
- g. Introduction to all available staff,
- h. Review of how to enter and exit the facility during work hours,
- i. The use of volunteer identification tags, and
- j. The dress code.

4. The Volunteer Coordinator, Training Coordinator, and Volunteer will meet to determine if additional training requirements are necessary and if so, the Volunteer Coordinator and Training Coordinator will coordinate the training.
5. The Volunteer Coordinator will complete the Training Record and put it in the volunteer's personnel file.
6. The Volunteer Coordinator will schedule times, days and services by memo.
7. The Volunteer Coordinator will forward copies of the memo and the Approved Volunteer List to the Facility SCS and a copy of the Approved Volunteer List to the Law Enforcement Assistant to use when the Volunteer checks in.

#### F. Program Delivery

1. Volunteers will carry out programs consistent with policy and procedures.
2. Volunteers will obtain the Facility SCS's approval to bring supplies into the facility.
3. The Facility SCS will provide the volunteer and staff with written approval. Approvals will be filed in the volunteer's personnel file.

#### G. Deferring/Postponing Volunteer Program

1. When a staff member has reason to believe that a volunteer or the service he/she provides threatens the safety and security of the facility or inmates, he/she will complete an Incident Report and forward it to the On Duty Supervisor.
2. The On Duty Supervisor will interview staff and obtain as much information as possible.
3. The On Duty Supervisor will attend the program to assess the risk.
4. The On Duty Supervisor will meet with the Volunteer Coordinator to discuss his/her findings and recommendations.
5. The Volunteer Coordinator will discuss the concern with the volunteer and document his/her concern on the Incident Report.
6. If the Volunteer Coordinator feels the program or volunteer should be deferred or postponed, he/she will make recommendation and forward the Incident Report and the recommendation to the Facility SCS.



Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

7. The Volunteer Coordinator and the Facility SCS will meet to make a decision.
8. The Volunteer Coordinator will notify the On Duty Supervisor and the volunteer of the decision to defer or cancel the program and the reasons why, in writing.
9. The Volunteer Coordinator will make two copies of the report, forward one copy to the Facility SCS, and place the other copy in the volunteers' personnel file.
10. The On Duty Supervisor will include the program cancellation in his/her shift report.
11. The Volunteer Coordinator will notify the volunteer that he/she may appeal the decision to the Facility SCS by submitting a memo.
12. The volunteer may not appeal the Facility SCS's final decision.

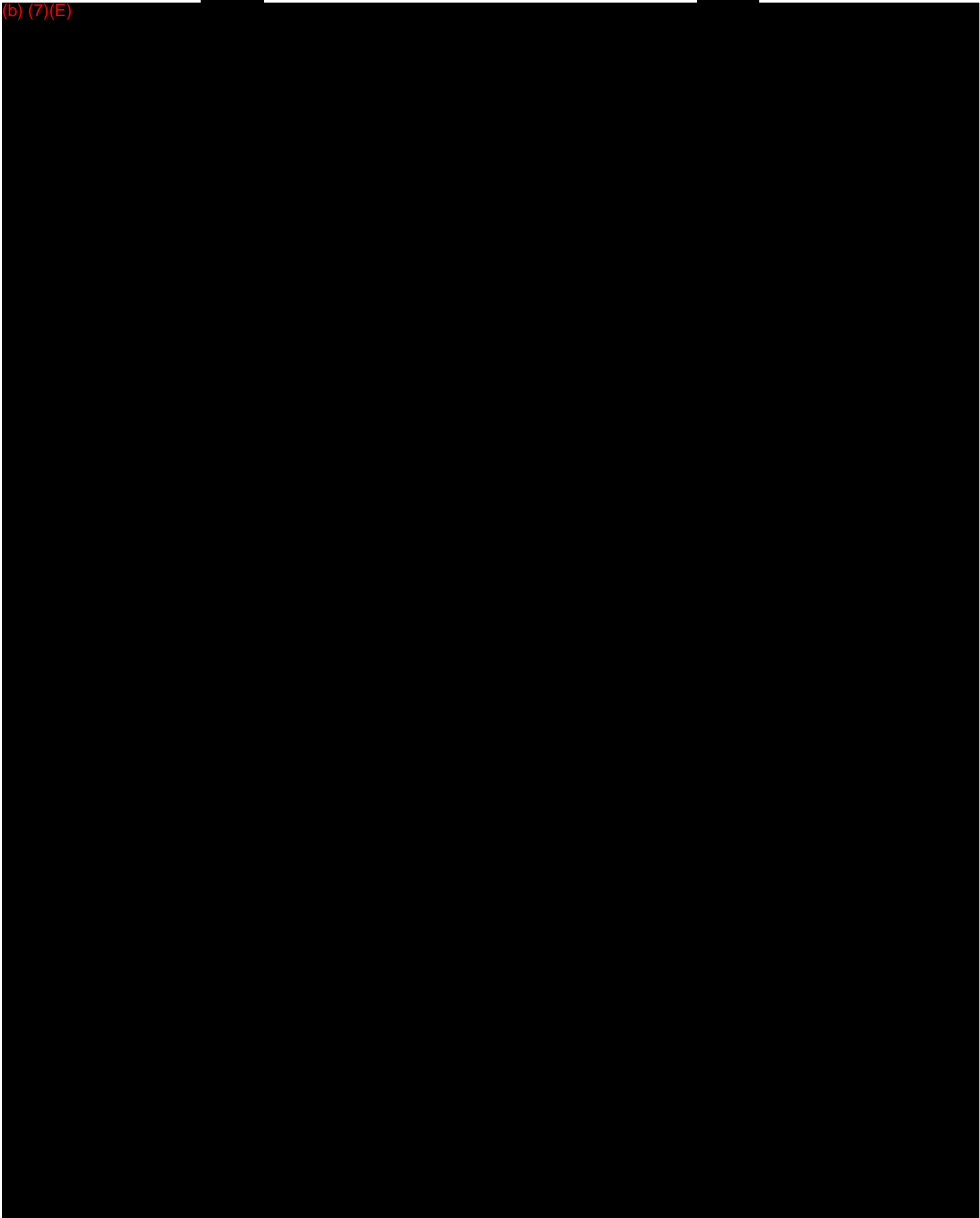
#### H. Review of Volunteers/Programs

1. The Volunteer Coordinator will establish the following when developing the volunteer program:
  - a. Standards for program review;,
  - b. Frequency of the evaluation period, and
  - c. Methods to inform volunteers, On Duty Supervisors, and the Facility SCS of scheduled volunteer program review meetings.
2. The Volunteer Coordinator will do the following when reviewing the volunteer program:
  - a. Prepare documents for the program review meeting,
  - b. Evaluate volunteer services through documents generated by the volunteer program,
  - c. Review and update volunteer program policy and procedures through feedback from volunteers and On Duty Supervisors, and
  - d. Review and update program schedules, volunteer job descriptions, and update the Approved Volunteer List.
3. The Volunteer Coordinator will submit all reviews and updates to the Facility SCS for review.
4. The Facility SCS will review and amend necessary changes, and return it to the Volunteer Coordinator for implementation.

#### I. Volunteer Reapplication and Approval

1. Every two years, the Volunteer Coordinator will inform volunteers that they need to reapply to be a volunteer and give them a new Volunteer/Service Provider Application Form to complete.
2. The Volunteer Coordinator will process the application by conducting screening and selection.

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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010      BIA ADF-7B-02; 7B-04;

## C4-40 ORIENTATION AND ON-THE-JOB TRAINING

### POLICY

Staff, consultants, and contract personnel attend pre-service, orientation, and On-the-Job Training within the first year of employment in order to prepare them to be proficient in their work.

### DEFINITIONS:

- A. On-The-Job (OJT) Checklist - A form used to record those orientation and training activities as they are explained, demonstrated and performed.
- B. Orientation Training - The training provided for all facility employees prior to working a post in the facility.
- C. Training Coordinator – The staff member assigned by the Facility SCS to coordinate training.
- D. Training Record - A form (SF-82) used to document training for each staff member.

### RULES AND PROCEDURES

#### C4-40-01 GENERAL

##### A. Confidentiality of Information

Employees, consultants, and contract personnel who work with inmates are informed in writing about the facility's policies on confidentiality of information and agree to abide by these policies in writing.

##### B. Rules of Conduct

All personnel who work with inmates will receive sufficient training so that they are thoroughly familiar with the rules of inmate conduct, the rationale for the rules, and sanctions available.

##### C. Orientation Training

All new full-time employees, volunteers, and program providers will receive 40 hours of orientation training before undertaking their assignments. This training includes at a minimum the following:

1. orientation to the purpose, goals, objectives, policies, and procedures of the Detention facility including facility organization;
2. working conditions and regulations;
3. employees' rights and responsibilities;
4. an overview of the Detention field

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010 BIA ADF-7B-02; 7B-04;

5. personnel policies
  6. staff rules and regulations
  7. employee code of ethics
  8. tour of the facility.
  9. hostage survival training
- D. Depending on the employee(s) and the particular job requirements, orientation training may include preparatory instruction related to the particular job.
- E. Staff detailed from other facilities should receive orientation training to familiarize them with specifics of the facility. The amount of training may vary, based on their current level or expertise, i.e. certified, etc.

#### C4-40-02 DETENTION FACILITY WORKER ORIENTATION – OJT TRAINING

- A. All new detention facility workers will receive 160 hours of orientation and on-the-job training during their first six months of employment. This includes all training referenced in C4-43 *Specialized Training*. Forty hours of that training must be completed prior to being assigned to a post or allowed to work independently. Un-certified staff will not be permitted to work without certified staff being present.
- B. On-the-Job Training begins after successful completion of the orientation training and covers a minimum of three weeks with one week on each shift.
- C. The trainees have six months from the date of issue to complete the OJT Checklist. He/she must successfully complete the IPA Detention Basic Course within one year.

#### C4-40-03 FTO PROGRAM

When possible, a Field Training Officer will be assigned to monitor and train new detention officers during their orientation period and following their graduation from IPA.

#### C4-40-04 CLERICAL AND SUPPORT STAFF ORIENTATION TRAINING

All new clerical and support staff who have minimal inmate contact shall receive the number of hours of orientation and training recommended by the Deputy Director, Office of Justice Services, within their first year of employment.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010      BIA ADF-7B-02; 7B-04;

#### C4-40-05 ADMINISTRATIVE AND MANAGERIAL STAFF ORIENTATION TRAINING

New administrative and managerial staff shall receive at least the number of hours of training recommended by the Deputy Director, Office of Justice Services, within their first year of employment in this position.

#### C4-40-06 ORIENTATION / OJT TRAINING

A. Each new detention officer will complete 40 hours of training under the supervision of a qualified officer, in compliance with standards prior to being assigned to a post. Training will include but is not limited to:

1. Code of Ethics,
2. communications skills,
3. CPR and first aid,
4. cultural diversity,
5. emergency plans and procedures,
6. facility policies and procedures,
7. hostage survival training,
8. inmate rules and regulations,
9. key control,
10. report writing, including SIR,
11. sexual misconduct.
12. suicide prevention,
13. the Inmate Orientation Handbook,
14. tobacco use,
15. use of force,

B. After the trainee completes the 40 hours of training, the Training Coordinator will give the trainee a pre-service written examination.

C. If the trainee did not pass the first test, the Training Coordinator will give the trainee a remedial period of 24 hours to prepare for another examination.

D. If the trainee fails to pass, the Training Coordinator will meet with the Facility SCS to review deficiencies and determine appropriate action. Labor Relations will be contacted and advised of the situation.

E. When the trainee successfully passes the test, the Training Coordinator will give the trainee an OJT Checklist to complete during his/her On-The-Job Training (OJT).

F. The Facility SCS will designate a staff member (FTO) to train the trainee for the remaining 80 hours during his/her On-the-Job Training.

G. The designated training staff member will complete the OJT Checklist.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010      BIA ADF-7B-02; 7B-04;

- H. The Training Coordinator and Facility SCS will determine the trainee's shift assignment and designate a Training Officer to train the trainee. The trainee will spend at least one week on each shift.
- I. During the OJT program, the trainee's On Duty Supervisor and designated Training Officer will provide weekly verbal performance evaluations to the trainee.
- J. The trainee must complete 80% of the OJT Checklist during the OJT program.
- K. The trainee will accomplish tasks not completed during the OJT program when assigned to his/her permanent shift.
- L. The Training Coordinator will review and approve any training requirements the trainee cannot complete on the OJT Checklist within the six month time limit, consulting with the Facility SCS, if needed.
- M. When the trainee completes the OJT Checklist, he/she will give it to the Training Coordinator. The trainee should maintain a copy of the OJT Checklist in the event the original is misplaced.
- N. The Training Coordinator will make arrangements to administer and supervise a post OJT written examination.
- O. The Training Coordinator will score the test and notify the trainee of the results.
- P. If the trainee cannot complete the OJT Checklist or pass the written examination, the Training Coordinator will notify the Facility SCS.
- Q. The Facility SCS, the trainee's Supervisor, and the Training Coordinator will review the situation and decide on appropriate action.
- R. The Training Coordinator will document all training received on the new staff member's Training Record.

#### C2-40-07 MANAGEMENT OF SPECIAL NEEDS INMATES

- A. When developing the training curriculum, the Training Coordinator will coordinate his/her efforts with the health provider to get training for staff to deal with inmates who are disruptive, emotionally disturbed, or have specific medical needs.



Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010      BIA ADF-7B-02; 7B-04;

- B. The Training Coordinator will request training in substance abuse prevention, responses to medical emergencies, suicide prevention, and mental health issues appropriate to the detention population.
- C. The health provider will identify training in current health care issues, including mental health care, which will help staff members deal effectively with inmates who have special medical and mental health needs.
- D. The health provider may refer the Training Coordinator to other resources and agencies that may offer information and/or training on requested or recommended topics.
- E. The Training Coordinator will coordinate training with other resources and agencies.
- F. The Training Coordinator will submit the special needs curriculum to the Facility SCS for review and approval.
- G. Based upon the Facility SCS's review of the curriculum, the Training Coordinator will further develop and initiate the training.



Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010      BIA ADF-7B-02; 7B-04;

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Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## C4-41 TRAINING-INDIAN POLICE ACADEMY

### POLICY

All Detention Facility newly hired OJS and 638 contract detention officers will attend and complete the Indian Police Academy Basic Corrections Officer Training and Certification Course within the specified time limits in order to continue employment with the BIA-Office of Justice Services and 638 contract facilities.

### RULES AND PROCEDURES

#### C4-41-01 INDIAN POLICE ACADEMY

- A. Ideally, the Indian Police Academy Basic Corrections Officer Training and Certification Program will be completed prior to assignment in a detention facility. However staffing patterns, hiring practices, and the availability of the IPA Academy do not always allow this to occur.
- B. Each district/facility will identify training resources that can be used for academy training and how they can be accessed.
- C. Detention Officers must have an adjudicated background from BIA Security prior to participating in Academy Training Programs.
- D. The Indian Police Academy publishes and distributes an annual training brochure. The Brochure gives training dates and locations and outlines requirements, instructions, and deadlines required to apply for training.

#### C4-41-02 IPA BASIC CORRECTIONAL OFFICER TRAINING PROGRAM

- A. The Detention Officer candidate will complete an Indian Police Academy Application for the Indian Police Academy and submit it to the facility SCS.
- B. The Facility SCS will review the Indian Police Academy Training Application and, If approved, all necessary documentation will be forwarded to the Indian Police Academy.
- C. The Indian Police Academy Director or his/her designee will review, approve or deny the application and initiate a memorandum indicating his/her approval or denial and, if approved, give instructions about the necessary equipment and logistics for attending the academy to the Detention Facility, providing a copy to the applicant.
- D. If the Detention Officer has not had a medical examination within six months of starting the academy, he/she will have a medical examination using form SF-78.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

- E. Employees attending the Basic Correctional Officer Training Program who fail two written examinations or practical exercises will be given an opportunity to pass through remediation. If the employee fails to achieve a passing grade after remediation, the Indian Police Academy may terminate his/her training program.
- F. In the event that an employee's training is terminated due to behavior or academics, the Indian Police Academy Director will notify the facility SCS of the program termination and reason for the action.
- G. The District SCS and the Facility SCS will meet to determine if the employee should be released from employment. If the employee is no longer eligible for IPA training, he/she will be terminated, based on concurrence of Labor Relations.

C4-41-03 CERTIFICATION OF DETENTION OFFICERS (NON-INDIAN POLICE ACADEMY BASIC TRAINING)

- A. Detention Officers who have attended a basic academy other than the Indian Police Academy may request through the Facility SCS that their curriculum and certification be reviewed by the Indian Police Academy Director for approval, in lieu of attending an IPA basic detention class.
- B. If the request is approved by the Facility SCS, a copy of the basic academy training curriculum and proof of successful completion will be sent to the Director of the Indian Police Academy.
- C. The Director of the Indian Police Academy will review and approve or deny the Detention Officer certification, based on the curriculum, and will notify the Facility SCS of his/her decision. The SCS will notify the Detention Officer.
- D. The Facility SCS will schedule Indian Police Academy training if the training was not approved.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-7B-03; 7B-05;

## C4-42 IN-SERVICE TRAINING

### POLICY

Facility staff attends in-service training on an annual basis to maintain proficiency in their skills and to prepare them for career growth.

### DEFINITIONS:

- A. Training - An organized, planned, and evaluated activity designed to achieve specific learning objectives. Training may occur on-site, at an academy or training center, at an institution of higher learning, through contract service, at professional meetings, or through closely supervised on-the job training. Meetings of professional associations are considered training when there is clear evidence of the above elements.
- B. In-Service Training - Annual training provided for all facility employees after they have completed pre-service and initial IPA training.
- C. Training Attendance Sheet - A form used to record the names of staff members who have completed a specific training session.
- D. Training Coordinator - Staff member assigned by the Facility SCS to coordinate training. This collateral assignment may be any Detention Facility staff member. Duties include coordinating and providing various training courses, certifying trainees, and maintaining training records.
- E. Training Record - A form (SF-82) used to document training for each staff member. These records are maintained in official OPF file, Facility employee file, and IPA training file.

### RULES AND PROCEDURES

#### C4-42-01 GENERAL

- A. All administrative and managerial staff will receive 40 hours of training in addition to orientation training during their first year of employment and 40 hours of training each year thereafter, in areas relevant to their position.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-7B-03; 7B-05;

- B. All new detention employees and specialist employees will receive an additional 120 hours of training during their first year of employment and an additional 40 hours of training each subsequent year of employment. This training includes but is not limited to:
1. security procedures
  2. supervision of inmates
  3. signs of suicide risks
  4. suicide precautions
  5. use-of-force regulations and tactics
  6. report writing
  7. inmate rules and regulations
  8. key control
  9. rights and responsibilities of inmates
  10. fire and emergency plans/procedures
  11. safety procedures
  12. interpersonal relations
  13. social/cultural lifestyles of the inmate population
  14. communication skills
  15. first aid/CPR
  16. counseling techniques
  17. cultural diversity

#### C4-42-02 SUMMARY OF ORIENTATION AND MINIMUM TRAINING HOURS

- A. All detention facility employees who have regular or daily contact with inmates will receive 40 hours of training in addition to orientation training during their first year of employment and 40 hours of training each year thereafter.
- B. All clerical/support employees who have minimal or no contact with inmates shall receive an additional 16 hours of training during the first year of employment and 16 hours of training each year thereafter. The curriculum is determined on the basis of need by the Training Coordinator.
- C. All part-time staff, volunteers, and contract personnel receive formal orientation appropriate to their assignments and additional training as needed. Contract or part-time employees should receive training similar to full-time employees in their particular category and pertinent to their role in working with inmates.
- D. Administrative and managerial staff shall receive at least twenty-four hours of job-relevant training each subsequent year of employment.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-7B-03; 7B-05;

#### C4-42-03 IN-SERVICE TRAINING

- A. The District SCS and Training Coordinator will design the curriculum to reinforce positive skill development related to each employee's job function and to eliminate inconsistencies in the day-to-day operations.
- B. The Training Coordinator will deliver or coordinate the delivery of in-service training consistent with standards as needed in order to maintain employees' certifications.
- C. The Facility SCS, in coordination with the Training Coordinator, will schedule employees to attend training sessions until every staff member on the shift has received the required training. Staff who have not completed/attended IPA will also be scheduled for In-Service Training.
- D. Each On Duty Supervisor will use shift briefings to conduct training on topics such as policy and procedure changes, divisional issues, and other information items or management decisions.
- E. Each person who provides training will document it by having each trainee sign-in on a Training Attendance Sheet.
- F. The Training Coordinator will record information from the Training Attendance Sheet on each employee's Training Record.
- G. Quarterly, the Training Coordinator will review each employee's Training Record to see that they are on track to meet their annual training requirements and, when necessary, initiate action to do so.

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Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1C-07(M);

## C4-43 SPECIALIZED TRAINING

### POLICY

Each Detention Facility provides specialized staff member training in order to prepare the employee for unique aspects of the job.

### DEFINITIONS:

Training Coordinator – A staff member assigned by the Facility SCS to coordinate training. This person may be any detention facility staff member.

### RULES AND PROCEDURES

#### C4-43-01 SPECIALIZED TRAINING

- A. Facility SCS's will work to identify and provide specialized training and certification. All training must be approved by IPA. This training and certification/re-certification may include but is not limited to:
  1. Cultural awareness;
  2. Emergency fire training;
  3. First aid and CPR;
  4. Flammable, caustic material training;
  5. Suicide prevention;
  6. Train the Trainer;
  7. Hostage Negotiator;
- B. At least one detention facility worker per shift shall receive specialized training in the management of inmates with health and behavioral problems, including substance abuse and suicide. All detention staff members who have contact with inmates shall receive training in advanced first aid and CPR. The health authority shall identify health-related training needs.
- C. Other Specialized Training may be requested by any staff member. Refer to C4-21-08 for guidelines.

#### C2-43-02 FIRST AID, CPR CERTIFICATION, AND RECERTIFICATION

- A. The Training Coordinator will identify sources for the necessary first aid and CPR training certification and coordinate having staff trained, as needed.
- B. The Training Coordinator will develop a master record of all first aid, CPR, and certifications, their effective dates, and their expiration dates for all staff members.

Effective: 01/01/2012

Revised:

BIA-Adult Detention Facility Guidelines December 2010:

BIA ADF-1C-07(M);

- C. The Training Coordinator will develop an annual schedule for employee re-certifications and implement the schedule.

#### C4-43-03 CULTURAL AWARENESS

- A. The Training Coordinator will identify resources that may include local colleges, written materials, individual community members etc., which can provide training about the community's culture and traditions.
- B. The Training Coordinator will submit the culture awareness curriculum and the course it may be taught in (orientation, on-the Job training, and/or in service) to the Facility SCS for review and approval.
- C. Based upon the Facility SCS's review of the curriculum, the Training Coordinator will further develop and initiate the training.

#### C4-43-04 EMERGENCY / FIRE DRILLS

Staff members will review emergency/fire drill training as described in policy and procedure C2-14 *Fire Safety, Facility Security, and Sanitation*.

#### C4-43-05 FLAMMABLE, TOXIC AND CAUSTIC MATERIAL TRAINING

The Training Coordinator will coordinate with the Area Safety Officer for staff training in precautions for use, storage, and safety of flammable, toxic, and caustic materials and will identify a selected staff member for training as a Fire Safety Officer.

#### C4-43-06 TRAINING COORDINATOR TRAINING AND CERTIFICATION

- A. Training Coordinators will attend the Law Enforcement Instructors Training Program (LEITP) within six months from being assigned to the position.
- B. Training Coordinators will attend and successfully complete any identified re-certification courses as necessary.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## C4-45 TRAINING MANAGEMENT AND STAFF DEVELOPMENT

### POLICY

The Training Committee develops, coordinates, implements, supervises, and annually reviews a comprehensive training program and plan to be taught to the staff in order to provide to staff the knowledge necessary for specific job performance, the opportunity for more job-related learning experience, and to enhance facility operations and employee development.

The Detention Facility encourages all full-time staff to participate in available training and career oriented programs to enhance their performance and to facilitate increased professionalism and job-related knowledge.

### DEFINITIONS:

- A. Annual Training Report - A report identifying training needs and development of training curriculum based on those needs, including projected costs for training, equipment, and materials.
- B. Training Attendance Sheet - A form used to record the names of staff members who complete a specific training session.
- C. Training Committee - A committee composed of the District SCS, Facility SCS, and the Training Coordinator, who develop and review a complete training plan for all staff on an ongoing basis.
- D. Training Coordinator - Staff member assigned by the Facility SCS to coordinate training. May be any Detention Facility staff member.
- E. Training Record - A form used to document training for each staff member.
- F. Staff Development - Any training program that is offered by the Indian Police Academy, police/detention agencies, professional organizations, or colleges and/or universities, beyond basic training, as long as, in the opinion of the Facility SCS, the programs are detention oriented or will have a direct benefit to the staff in the performance of his/her duties.

### RULES AND PROCEDURES

#### C4-45-01 TRAINING PLAN

- A. The facility's employee staff development and training program (Individual Development Plan-IDP) is planned, coordinated, and supervised by a qualified supervisory employee. The training plan is reviewed annually and submitted at the end of the fiscal year as part of the Employee Performance Appraisal Plan.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

- B. The training plan is developed, evaluated, and updated based on an annual assessment that identifies current job-related training needs. The IDP will be signed upon hire by each new employee and annually thereafter, in October.
- C. A qualified employee, who has successfully completed a law enforcement instructor training program shall plan, coordinate, and supervise employee and volunteer training programs. The administrator shall identify, evaluate, and update job-related training needs annually.

#### C4-45-02 TRAINING CURRICULUM APPROVAL

- A. The Deputy Director, Office of Justice Services, in conjunction with the Indian Police Academy, shall approve training programs and curriculum.
- B. The list of training topics that are developed from the Training Committee's quarterly meetings is for all staff members, to include any training requirements that the BIA-OJS and ACA determine is necessary for any administrative staff member, support staff member, or detention officer.
- C. The facility Training Plan will identify all orientation (pre-service), OJT (in-service), and specialized training available for presentation to staff members. For each of these training programs, the Training Committee will:
  - 1. identify potential participants,
  - 2. develop goals and delivery strategies,
  - 3. determine ideal class size,
  - 4. identify topics with time requirements,
  - 5. identify delivery schedule,
  - 6. trainers for each topics,
  - 7. limits and constraints,
  - 8. training and equipment needs, and
  - 9. Facility needs.
- D. There is a 5 part and a 10 part form for Request, Authorization, Agreement, and Certification of Training - Standard Form 182. The 10 part form is used when expenses are involved.
- E. The Request, Authorization, Agreement, and Certification of Training - Standard Form 182 will be completed for each staff member attending training.

#### C4-45-03 TRAINING COORDINATOR

- A. When appropriate, the Facility SCS will announce an opening for a Training Coordinator position which includes the requirements and application process for the position.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

- B. When a staff member applies for the Training Coordinator position, the Training Committee will interview the applicant and make a recommendation to the Facility SCS.
- C. The Facility SCS will appoint an employee to the position of Training Coordinator, which is a collateral duty.
- D. The Training Coordinator will attend a Law Enforcement Instructor Training Program (40 hour minimum) if he/she is not already qualified.
- E. The Facility SCS will ensure that the Training Coordinator completes the applicable training and is certified as a training officer based upon Bureau, Tribal, and/or State standards.
- F. The Facility SCS will ensure that the Training Coordinator maintains certification while he/she is in the Training Coordinator position.

#### C4-45-04 DETERMINING TRAINING NEEDS

- A. The Training Committee will meet quarterly to review and update the training plan.
- B. The Training Coordinator will take suggestions from staff members for any training needs.
- C. The Training Coordinator will review the year's Incident Reports and Detention Facility Annual Report to identify additional areas where the staff may require or could benefit from additional or refresher training.
- D. The Training Coordinator may use IHS, Tribal Health, or other relevant resources to determine the curriculum related to health care issues and inmates with special needs.
- E. The Training Committee will estimate the time allotted for each topic to see that an adequate number of training hours are provided over the course of the year, identify associated costs, and list training equipment needs.
- F. If the Training Coordinator will develop or modify training materials. He/she will develop a course description, lesson plan, and copies of any tests in conjunction with IPA and include them with the Annual Training Report showing which training program the training is to be delivered in, i.e. Orientation, OJT, Indian Police Academy, etc.
- G. The Training Coordinator will submit a copy of the proposed training needs to the Facility SCS for review and revision if necessary.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

- H. The Training Coordinator will compile this information in the Annual Training Report and send it to the Facility SCS for approval.
- I. Upon approval, the Facility SCS will forward the Annual Training Report to the Indian Police Academy for review.

#### C4-45-05 APPROVAL AND DISSEMINATION OF TRAINING PLAN

- A. The Indian Police Academy will review the Annual Training Report to determine any changes that should be made, the need for additional training, and the adequacy of any training materials developed by the Training Coordinator. The IPA may recommend modifications.
- B. The Indian Police Academy will generate a written recommendation on the Annual Training Report for the Facility SCS.
- C. The Facility SCS will review the facility's Annual Training Report and the Indian Police Academy's written recommendation and approve or direct modification of the Annual Training Report.

#### C4-45-06 SCHEDULING TRAINING

- A. The Training Committee will decide which programs will be delivered during the next quarter and year based on the immediate need for a specific program, the need for a specific program, the need to have a refresher program, availability of staff, and the availability of training staff and classrooms.
- B. The Training Committee will submit a copy of the proposed training schedule to the Facility SCS for his/her approval.
- C. The Facility SCS will notify the Training Committee of his/her approval or disapproval in writing along with any suggestions.
- D. The Training Committee may reconsider the training schedule with the Facility SCS's suggestions and resubmit the proposal for approval.
- E. When an approved schedule has been completed, the Training Coordinator will post the schedule.
- F. The Training Coordinator will meet with the Law Enforcement Assistant to prepare the appropriate Request, Authorization, Agreement, and Certification of Training - Standard Form 182.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

- G. The Law Enforcement Assistant will forward the Request, Authorization, Agreement, and Certification of Training - Standard Form 182s to the Facility SCS for signature.
- H. The Facility SCS will sign the Form 182's and forward them to the District Training Officer for approval and signature.
- I. The District Training Officer will return the approved Form 182's to the Law Enforcement Assistant.
- J. The Law Enforcement Assistant will maintain Form 182's until the training occurs.

#### C4-45-07 COMPLETION OF A TRAINING PROGRAM

- A. Staff members shall attend the training program as scheduled.
- B. Staff members who complete a training program will submit the completion certificate to the Training Coordinator for recording on the member's Training Record.
- C. The Training Coordinator will provide a copy of the certificate to the Law Enforcement Assistant.
- D. The Law Enforcement Assistant will provide the staff member who completed the training with the approved Form 182.
- E. If the training was not completed, the staff member attending training will complete Section C, Termination and Evaluation Data explaining why the training was not completed.
- F. Staff members who complete the training will complete Section C, Termination and Evaluation Data and sign and date the Form 182 and return the form to the Law Enforcement Assistant.
- G. The Law Enforcement Assistant will forward Form 182 to the Facility SCS with Section C, Termination and Evaluation Data completed.
- H. The Facility SCS will interview the staff member who completed the training to determine the appropriateness of the training to the employee's position.
- I. The Facility SCS will complete Section D, Supervisory Comments of the Request, Authorization, Agreement, and Certification of Training - Standard Form 182, sign and date the form, and return the completed form to the Law Enforcement Assistant.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

#### C4-45-08 DOCUMENTATION OF TRAINING

- A. For each employee, the Training Coordinator will maintain a training file in the facility that contains copies of all certifications, re-certifications, certificates of completion, and all training forms completed by each employee.
- B. The Law Enforcement Assistant will make copies of Form 182 to be kept on file at the Detention Facility.
- C. The Law Enforcement Assistant will forward all Request, Authorization, Agreement and Certification of Training - Standard Form 182's and a copy of training certificates to the Indian Police Academy to be filed in the employee training file.
- D. The Training Coordinator will initiate a Training Record for each new staff member when the staff member is employed.
- E. If training is provided on site, each person who provides training will document the training by having each staff member register on a Training Attendance Sheet.
- F. If training is provided off-site, the Training Coordinator will provide the trainee with a Training Attendance Sheet prior to his/her leaving for the training.
- G. The off-site trainer will complete the Training Attendance Sheet, adding any additional materials or comments and return it to the Training Coordinator.
- H. After each training program that a staff member attends, including any remedial training, the Training Coordinator will make sure that the Training Attendance Sheet reflects that each staff member did in fact attend and whether a passing or failing proficiency was met.
- I. The Training Coordinator will record information from the Training Attendance Sheet on each staff member's Training Record.
- J. The Training Coordinator will summarize the information about each training session and staff member training on his Annual Training Report.



Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

#### C4-45-09 EVALUATING AND UPDATING TRAINING

- A. The Facility SCS will evaluate the annual training based upon the Training Coordinator evaluations and the analysis of the participants, including the Form 182.
- B. The Training Coordinator will compile recommendations made from the evaluations for updating, deleting, or rewriting a training program and present the recommendations to the Training Committee at the next scheduled meeting.
- C. The Training Committee in conjunction with IPA will approve or disapprove any recommendations from the Training Coordinator who will make any changes to the training plan or program as approved.

#### C4-45-10 EDUCATION AND TRAINING

- A. Any announcements of available training being offered in the detention or detention oriented field will be posted by the Training Coordinator on the Staff Bulletin Board. The purpose is to notify all staff of available training so those interested may apply for the training.
- B. Prior to offering outside training, the Training Coordinator will provide the training curriculum to the Indian Police Academy Director. The Training Coordinator will receive written notification from the IPA Director for training approval.
- C. Any training programs that are completely sponsored by the Detention Facility will be paid for by the Detention Facility and time of attendance will be with pay. Other programs are weighed on their merit by the Training Committee with the Facility SCS making the final decision as to whether the programs will be paid for through Detention Facility funds or by the requesting staff member and whether time off will be with pay or the requesting staff member will be required to use authorized leave.

#### C4-45-11 APPLYING FOR A TRAINING PROGRAM

- A. A Staff member may submit a Training Request Form to the Facility SCS when he/she is interested in attending a training program offered by an outside agency.
- B. If the Facility SCS determines that the requested program is not a valid program or is not needed, he/she will return the Training Request Form to the requesting staff member with a written explanation as to why the request was denied.

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

- C. If the Facility SCS determines that the request is a valid program, he/she will review staff availability and when possible, initiate the Authorization, Agreement, and Certification of Training - Standard Form 182 Request for the scheduled training with the Law Enforcement Assistant.
- D. The Facility SCS will notify the Training Coordinator who will notify the requesting staff member of approval and the dates and times he/she will be attending the training program.
- E. The Training Coordinator will notify all staff members in the chain of command that are affected by the absence of the requesting staff member.
- F. The staff member will attend the scheduled training and complete the follow-up process.

Effective: 07/01/2008  
CALEA Standard(s)—1.3.5

Revised: 10/01/2009; 05/01/2012

## 4-48 OFFICE OF JUSTICE SERVICES INTERNAL AFFAIRS DIVISION

### POLICY

It is the policy of OJS to investigate any complaints against the service immediately, in an impartial and fair manner. Employee misconduct will be addressed and corrected at the earliest possible opportunity.

### DEFINITIONS

#### A. Adverse Action

A removal, suspension of more than 14 days, reduction in grade or pay (not at the employee's request), or furlough of more than 30 days or more.

#### B. Class I Criminal Misconduct

Any violation of federal, state, tribal, or local laws that can be addressed through the criminal justice process either as a felony or misdemeanor, including allegations of excessive force.

#### C. Class II Serious Misconduct

Criminal allegations for which prosecution has been declined and any non-criminal allegation which would be in violation of a federal or government-wide, DOI, BIA or law enforcement agency standard of conduct, regulation, or policy, which is considered serious in nature. This includes but is not limited to:

1. Flagrant inattention to duty where potential danger to life or extensive damage to property is affected or substantial revenue is lost.
2. Unauthorized or negligent use, damage, or loss of valuable government property, i.e. vehicles, aircraft, vessels, or other equipment, not including minor traffic accidents.
3. Falsification of documents and/or false statements.
4. False reporting.
5. Improper association with informants.
6. Retaliation/reprisal actions.
7. Sexual offenses or harassment.
8. Improper association/relationship with criminal elements.
9. Refusal to furnish testimony or information in an official investigation, inquiry or other official proceeding.
10. Unnecessary intentional discharge of a weapon.
11. Unauthorized disclosure of classified or sensitive material or information.
12. Use or possession of illegal drugs.
13. Egregious safety violations.
14. Security violations, including those relating to controlled or classified information,
15. Prisoner/inmate mistreatment.
16. Evidence mishandling
17. Solicitation/acceptance of bribes or gratuities.
18. Failure to promptly report a bribe offer.

Effective: 07/01/2008  
CALEA Standard(s)—1.3.5

Revised: 10/01/2009; 05/01/2012

19. Any criminal, infamous, dishonest, immoral or notoriously disgraceful conduct prejudicial to the Government.

D. Class III - Other Misconduct

1. Negligent or careless performance of assigned duties where an inspection, enforcement or other law enforcement agency/detention facility function is substantially and/or negatively impacted.
2. Failure to observe established policies or procedures in the apprehension or detention of suspects or violators.
3. Failure to promptly report ones own arrest to supervisors.
4. Failure to promptly report violation of laws enforced by the law enforcement agency.
5. Failure to promptly report information concerning violations of any laws or serious misconduct by a law enforcement agency/detention facility employee.
6. Use of law enforcement/detention position or identification, including badges and credentials, to coerce, intimidate or deceive, i.e., abuse of authority.
7. Drinking or being under the influence of alcoholic beverages while on official duty.

E. Class IV - Administrative Misconduct

1. Attendance matters, not involving other forms of misconduct.
2. Negligence or careless performance of assigned duties.
3. Covering up or attempting to conceal defective work.
4. Failure to delay in carrying out orders, work assignments, instructions of supervisors, or insubordination.
5. Interference with other employees in the performance of official duties.
6. Failure to maintain a neat, clean and business-like appearance or to comply with uniform dress standards while on duty.
7. Unauthorized outside employment or business activity.
8. Discourteous or disrespectful conduct toward members of the public, co-workers or supervisors.
9. Failure to honor just financial obligations in a prompt and timely manner.
10. Borrowing/lending substantial sums of money in relation to fellow employees.

F. Dereliction of Duty

Deliberate neglect of duty or obligations.

G. Disciplinary Action

A reprimand or suspension of 14 days or less.

Effective: 07/01/2008  
CALEA Standard(s)—1.3.5

Revised: 10/01/2009; 05/01/2012

H. Early Intervention System

A system designed to track complaints for purposes of identifying potentially problematic patterns of behavior among Departmental law enforcement/detention personnel. The system is intended to provide supervisors with the information necessary to take preemptive non-disciplinary action to correct performance problems.

I. Misconduct

An act or omission by an employee which serves as the basis for taking corrective action when it is determined that such action will promote the efficiency of the Department consistent with Departmental Manual, 370 DM 752.1, "Discipline and Adverse Actions" including Any of the following acts or omissions which could normally result in administrative or disciplinary action.

1. The commission of a criminal offense
2. Neglect of Duty
3. Violation of DOI, BIA, OJS or law enforcement agency/detention policies, rules or procedures.
4. Conduct which may tend to reflect unfavorably upon the employee or the law enforcement agency/detention facility.

J. Preponderance of the Evidence

That degree of information/evidence which a reasonable person, considering the record as a whole, might accept as sufficient information/evidence to support a conclusion that the matter asserted is more likely to be true than not true.

K. Policy or Training Failure

The allegation is true, but employee's action was not inconsistent with policy and/or training and there is an indication of a need for policy review and revision and/or a need for training.

L. Racial Profiling

The practice of relying, to any degree, on race, ethnicity, or national origin in identifying individuals subject to routine investigatory activities, or in determining the scope and substance of law enforcement actions following a routine investigatory activity.

M. Sustained

The investigation revealed sufficient evidence to justify a reasonable conclusion that the accused employee committed the misconduct alleged.

N. Not Sustained

The investigation failed to disclose sufficient information to clearly prove or disprove the allegation.

Effective: 07/01/2008  
CALEA Standard(s)—1.3.5

Revised: 10/01/2009; 05/01/2012

- O. Exonerated:  
Investigation revealed the acts occurred but employees actions were justified, lawful or proper.
- P. Unfounded  
The allegation was false or not factual.
- Q. Warning and Assurance to Employee that is requesting they provide information on a "Voluntary Information Request Form".

This is a form given to an employee who is the subject of an internal affairs investigation requested to voluntarily provide information prior to being interviewed as a part of the internal affairs investigation.

- R. Warning and Assurance to employee compelled to provide information on a "Compelled Information Disclosure Form".

This is a form given to an employee who is required to provide information prior to being interviewed as a part of an internal affairs investigation.

## RULES AND PROCEDURES

### 4-48-01 OJS STANDARDS OF CONDUCT

- A. All OJS employees are subject to the following:
  - 1. Employee Responsibilities and Conduct for the Department of the Interior (DOI), 43 Code of Federal Regulations 20.735.
  - 2. Employee Responsibilities and Conduct, 44 BIAM, Chapter 735
  - 3. Law Enforcement Code of Conduct, 446 DOI Manual, Chapter 2, Appendix 1,
  - 4. Standards of Ethical Conduct for Employees of the Executive Branch, 5 Code of Federal Regulations, Section 2635.
  - 5. Ethics and Conduct, found in this handbook, the Law Enforcement Code of Conduct, and the Law Enforcement Code of Ethics.
  - 6. Discipline and Adverse Actions, Departmental Manual 370 DM 752
  - 7. Applicable State, County, Municipal and Tribal Laws.
- B. Lack of Criminal Charges Do not Preclude Administrative Actions

The lack of criminal charge against an employee, and/or acquittal on a criminal charge does not prevent the law enforcement agency/detention facility from taking administrative action against an employee.

Effective: 07/01/2008  
CALEA Standard(s)—1.3.5

Revised: 10/01/2009; 05/01/2012

- C. Property belonging to the law enforcement agency/detention facility is subject to inspection where the employer has a reasonable suspicion that evidence of work-related misconduct will be found therein. Property includes, but is not limited to, vehicles, desks, files, storage lockers and any other relevant government property.

#### 4-48-02 OFF-DUTY MISCONDUCT

Law Enforcement employees are held to a higher standard of conduct than other citizens, including public employees. An employee may not engage in conduct that adversely affects BIA law enforcement. Off duty misconduct, even non-criminal acts, can adversely affect the employee, and/or BIA law enforcement, and could warrant disciplinary action.

#### 4-48-03 ESTABLISHMENT AND PURPOSE OF THE INTERNAL AFFAIRS DIVISION

- A. Department of Interior Executive Order 3178, issued March 16, 1994 established the Internal Affairs Division (IAD) within the Office of Justice Services (OJS). IAD investigates allegations of misconduct against OJS employees to determine their validity.
- B. Applicability  
All investigations and disciplinary actions are governed by this procedure, including but not limited to, applicable orders, rules, regulations, Code of Conduct, and appropriate tribal, local, state, and federal laws, rules and regulations.
- C. Purpose  
The purpose of IAD is to ensure that the professional standards of OJS are maintained through the internal system whereby objectivity, fairness, and justice are ensured by an impartial investigation and review of the allegations of misconduct against OJS employees. This system provides citizens with an equitable and effective avenue for redress of their legitimate grievances against OJS employees. IAD readily accepts all complaints of misconduct and fairly and objectively investigates these complaints. OJS employees determined to be guilty of misconduct will be appropriately disciplined, and a copy of the disciplinary actions taken will be provided to the IAD. IAD also provides OJS employees due process to identify unfounded and unsubstantiated allegations.

Effective: 07/01/2008  
CALEA Standard(s)—1.3.5

Revised: 10/01/2009; 05/01/2012

#### 4-48-04 INTERNAL AFFAIRS AREAS OF RESPONSIBILITY

A. Special Agents assigned to the IAD will investigate without bias all allegations of misconduct assigned to them. Agents will conduct fair, objective, and impartial investigations without fear of reprisals from supervisors, managers or the subjects of investigation from the affected district. Any acts or threats of reprisal will be immediately reported to the Supervisory Special Agent, IAD (IAD Chief) for appropriate action. IAD acts on behalf of and reports to the Deputy Bureau Director, OJS, as the investigative body with the following areas of responsibility:

1. Maintain a record of allegations (complaints) of alleged or suspected misconduct against OJS employees as well as self-governance and tribal law enforcement employees.
2. Investigate the above allegations.
3. Inform complainants, employees accused, and the employee's supervisors of the results of the investigation.
4. Maintain the confidentiality of IAD investigations and records.
5. When a training deficiency is discovered, IAD will notify the employee's supervisor, and if appropriate, the Deputy Bureau Director, OJS, and the Supervisory Special Agent (IPA Chief), Indian Police Academy.
6. When a policy change or the need for a new policy is noted, IAD will notify the Deputy Bureau Director, OJS.
7. Production of an annual summary that is made available to the public of the complaints received and investigated by the IAD, and their final dispositions.

#### B. Investigation of Tribal Programs

IAD will investigate allegations of misconduct of 638 contract program officers in accordance with 25 CFR part 12.

1. 25 CFR part 12.53 states - The Deputy Bureau Director, OJS maintains an internal affairs component that investigates all allegations of misconduct by BIA officers, and any officer receiving funding and/or authority from the BIA. All allegations of misconduct must be thoroughly investigated and appropriate actions taken when warranted. Any person having knowledge of officer misconduct must report that information to the officer's supervisor.
2. 25 CFR part 12.12 states:  
The regulations in this part are not intended to discourage contracting of Indian country law enforcement programs under the Indian Self-determination and Education Assistance Act (Pub. L. 93-638, as amended, 25 U.S.C. 450). The Assistant Secretary of Indian Affairs will ensure minimum standards are maintained in high risk activities where the Federal government retains liability and the responsibility for settling tort claims that arise from contracted law enforcement programs.



Effective: 07/01/2008  
CALEA Standard(s)—1.3.5

Revised: 10/01/2009; 05/01/2012

It is not fair to law abiding citizens of Indian country to have anything less than professional law enforcement in their community. Indian country law enforcement programs that receive Federal funding and/or commissioning will be subject to periodic inspection or evaluation to provide technical assistance, to ensure compliance with minimum Federal standards, and to identify necessary changes or improvements to BIA policies.

3. 25 CFR part 12.13 states:

If a program fails to comply with this section, BIA law enforcement commissions may be revoked, law enforcement contracts may be cancelled, and the program may no longer be eligible for tribal shares allocated from the law enforcement budgets.

C. Internal Affairs Division Location and Contact Information:

The IAD may be contacted at 1001 Indian School Rd. NW, Albuquerque, New Mexico 87104 (505)563-3951 or (505)(fax)(505)3089.

4-48-06 AUTHORITY FOR IAD INVESTIGATIONS

- A. Internal or Administrative inquiries are performed under the authority of the Deputy Bureau Director, Office of Justice Services, with the management responsibility assigned to the program administrator or supervisor at the division, branch, section, unit, district, facility, or agency level. The final authority to exonerate, declare unfounded, not sustain, or to sustain any complaint rests solely with the Deputy Bureau Director, Office of Justice Services.
- B. Formal discipline, when appropriate, is proposed by the affected employee's immediate supervisor and approved by the next level supervisor, consistent with the applicable personnel management guidelines.
- C. IAD has the authority to re-investigate a matter believed to be incomplete with the concurrence of the Deputy Bureau Director, OJS.

4-48-07 REPORTING OF COMPLAINTS:

- A. Employees will assist persons who wish to make a complaint against a law enforcement employee in a professional manner.

Effective: 07/01/2008  
CALEA Standard(s)—1.3.5

Revised: 10/01/2009; 05/01/2012

1. Information regarding procedures for the public to register complaints against the organization or its employees will be made available at every District and Agency/Facility office.
  2. Information regarding this process will be made readily available to employees and the public and may be disseminated via public websites, informational literature, internal instructional memoranda, annual all-employee training, etc. Information disseminated will include:
    - a. Procedures for filing a complaint.
    - b. An overview of the complaint review process.
    - c. Contact information for the bureau or office IA unit and the OIG.
- B. When employees who are not supervisors receive a complaint against OJS or any OJS employee, including citizen complaints, the employee will immediately notify his/her supervisor. When the applicable supervisor or commander is not on duty, the complainant should be referred to the appropriate on-duty supervisor, special agent in charge, chief of police or facility Supervisory Correctional Specialist (FSCS). If the complainant refuses such referrals, all available information should be recorded by the receiving personnel and forwarded to the applicable District Supervisor, Special Agent in Charge, Chief of Police or Facility SCS who will forward a copy of each complaint to the IAD. If the employee fears reprisal or lack of cooperation from the supervisor, he/she may notify IAD directly. IAD can be notified directly regarding complaints against supervisors or managers.

C. (b) (7)(E)

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Effective: 07/01/2008  
CALEA Standard(s)—1.3.5

Revised: 10/01/2009; 05/01/2012

- D. The District SAC/SCS, Chief of Police/Facility Supervisory Correctional Specialist (FSCS) or supervisor may attempt to resolve a complaint by an explanation of BIA policies and procedures, where applicable. Attempts to resolve complaints will be noted on an official complaint form. However, the complaint will be forwarded to IAD for review.
- E. The District SAC/SCS, Chief of Police/FSCS or supervisor will advise the complainant of the BIA's procedures for the processing and investigation of citizen complaints.

#### 4-48-08 RESPONSIBILITY FOR INVESTIGATION OF COMPLAINTS

- A. In accordance with BIA 446 DM 26, District SAC's/SCS's, Chiefs of Police/Facility SCSs and supervisors are required to report all allegations of Class I and Class II misconduct as defined above to IAD as soon as possible but no later than 72 hours from the time of occurrence. IAD will review all allegations to determine the appropriate classification and will investigate or refer allegations accordingly.
- B. IAD will investigate allegations of criminal misconduct.
- C. IAD will review all allegations and either initiate an investigation or refer the investigation to the District SAC/SCS or Agency Chief of Police/Facility SCS. The employee's chain of command may investigate as follows:
  - 1. Line supervisors will investigate Class III and IV offenses.
  - 2. IAD will investigate Class I and II offenses and any others as determined by an IAD supervisor.
  - 3. IAD will review all allegations and completed investigations.
  - 4. IAD may reclassify an offense/alleged offense at any time.
  - 5. Allegations of civil rights violations will be referred to the FBI for investigation
  - 6. Complainants will be notified by mail regarding verification of receipt of their complaint, status reports, and notification of the results of the investigation. Notification will not be made to anonymous complainants.
- D. District SAC's/SCS's, Chiefs of Police/Facility SCSs and supervisors who fail to report allegations of misconduct will face disciplinary action.
- E. Frequently, by the time an allegation of criminal conduct reaches IAD, a law enforcement agency, such as a County Sheriff's Department, a City Police Department or a Tribal Police Agency has already initiated a criminal investigation.

Effective: 07/01/2008  
CALEA Standard(s)—1.3.5

Revised: 10/01/2009; 05/01/2012

1. On a case by case basis, IAD may or may not become involved in an on-going criminal investigation.
  2. IAD will monitor the progress of all such criminal investigations.
  3. IAD may use any information gathered during a criminal investigation in an internal administrative investigation.
  4. At its discretion, IAD may conduct administrative investigations concurrently with or after a criminal investigation has concluded.
  5. If an accused employee refuses to answer questions voluntarily, IAD will not compel a statement unless the prosecuting attorney has concurred or declined prosecution.
- F. 25 Code of Federal Regulations requires that all allegations of Civil Rights violations be reported to the FBI.

Only the FBI is authorized to conduct a full criminal Civil Rights investigation. However, this does not preclude the BIA from conducting a simultaneous or subsequent internal administrative investigation concerning all allegations of use of excessive force and brutality.

#### 4-48-09 SUPERVISORY DUTIES AND RESPONSIBILITIES

- A. The first-line supervisor has primary responsibility for maintaining and reinforcing officer conformance with the standards of conduct.
- B. Supervisors will familiarize themselves with the officers in their unit, and closely observe their general conduct and appearance on a daily basis.
- C. Supervisors will remain alert for indications of behavioral problems or changes that may affect officer's normal job performance. Such information should be documented by the supervisor.
- D. When a supervisor perceives that an officer may be having or causing problems, the supervisor will assess the situation and determine the most appropriate action.
- E. A supervisor may recommend additional training to refresh and reinforce an officer's skills.
- F. The supervisor may use counseling to:
  1. Determine the extent of any personal or job problems that may be affecting performance, and to offer assistance and guidance.
  2. Discuss minor and infrequent rule violations, and to discuss the substance and importance of the rules with the officer.
- G. The supervisor will document all instances of counseling or additional training used to modify an officer's behavior.

Effective: 07/01/2008  
CALEA Standard(s)—1.3.5

Revised: 10/01/2009; 05/01/2012

#### 4-48-10 INITIAL ACTIONS BY SUPERVISOR UPON RECEIPT OF COMPLAINT

- A. Upon becoming aware of or receiving notification of potential rules violations by an officer under his/her command, the supervisor will begin an immediate review of such allegations.
  - 1. If the allegations constitute a Class I or Class II violation, the case will be immediately forwarded to IAD for investigation.
  - 2. If the allegations constitute a Class III or Class IV violation, the Chief of Police/Facility SCS will notify IAD of the allegation and initiate an investigation.
- B. Upon completion of the Class III or IV investigation, the supervisor will forward the following to the Internal Affairs Division through the chain of command:
  - 1. A report of the alleged violation.
  - 2. All documents and evidence relating to the investigation.
  - 3. The Accountability and Findings form.

#### 4-48-11 EMPLOYEE RIGHTS DURING AN INTERNAL INVESTIGATION

- A. Prior to an interview or special examination, the supervisor will provide the employee under investigation with confidential written notification of the allegation. This notification will include a copy of the original complaint or a summary adequately listing the relevant facts, and the employee's rights and responsibilities during the investigation.
- B. All interviews will be conducted while the employee is on duty, unless the seriousness of the investigation is such that an immediate interview is required.
- C. The interview will be held at the employee's work area or at a location agreeable to both parties.

Investigators will not make promises or offer rewards as an inducement to answer any questions.

#### 4-48-12 ADMINISTRATIVE INVESTIGATIONS

- A. The objective of the investigation is to determine the truth. Administrative investigations will be objective, fair, and thorough. The investigation of all complaints will be conducted in a diligent and thorough manner to ensure pertinent issues are resolved and all appropriate criminal, civil, and/or administrative remedies are considered.
  - 1. A proper investigation demands that the investigator keep an open mind at all times and gather all the facts.

Effective: 07/01/2008  
CALEA Standard(s)—1.3.5

Revised: 10/01/2009; 05/01/2012

2. The accused employee will be given ample opportunity to deny or justify an alleged action.
- B. Assigned investigators will not conduct investigations of employees to whom they are related or with whom they have, or have had, a close association.
  - C. If, during an administrative investigation, evidence of criminal misconduct is uncovered, investigators will stop the administrative investigation and consult with an Internal Affairs supervisor.
  - D. Where an allegation of officer misconduct involves a possible violation of criminal law under investigation by another entity, the IA investigator will consult with prosecutorial offices at federal, state, local, and tribal levels as applicable to determine if an administrative investigation can or should be conducted simultaneously.
  - E. An employee may have access to specific information concerning an investigation via the "Freedom of Information Act", 5 U.S.C. §552, the "Privacy Act of 1974", 5 U.S.C. §552a, employer-employee contact, or grievance procedures. Any disclosure of information should be consistent with these statutes and procedures.
  - F. Certain groups of employees may be represented by collective bargaining units. Labor-management agreements between these groups and the Department may afford certain rights and privileges to employees that investigators should be aware of prior to initiating employee interviews.
  - G. In addition to rights and privileges afforded via labor-management agreements, some groups may have rights and privileges conferred by statute. For example, the "Weingarten Act" (5 U.S.C. §7114(a) provides the right to have "an exclusive representative of an appropriate unit in an agency ... be given the opportunity to be represented at...any examination of an employee in the unit by a representative of the agency in connection with an investigation if... the employee reasonably believes that the examination may result in disciplinary action against the employee, [or] the employee requests representation."
  - H. On initiating the investigation, the investigating supervisor/special agent will:
    1. Review all pertinent documents including but not limited to prior complaints, administrative documents, training records, etc.
    2. Compare the date the incident occurred with the date reported and document the reason for any delays in reporting.
    3. Obtain all related medical records as soon as possible in cases in which the medical condition of a witness, complainant, or accused employee is a factor.

Effective: 07/01/2008  
CALEA Standard(s)—1.3.5

Revised: 10/01/2009; 05/01/2012

4. Obtain a signed medical consent form as early in the investigation as possible. The patient must sign a medical release before physicians or medical facilities can release information from medical records.
- I. In cases where an employee is interviewed, he/she will be advised of the nature of the investigation prior to any questioning.
  1. Prior to questioning, an employee has the right to be informed of his/her status as it relates to the investigation.
  2. As appropriate, investigators will communicate applicable legal warnings to persons being questioned.
- J. When Investigators conduct an interview with the accused employee, the accused employee has the right, if he/she wishes, to be accompanied by an attorney, union representative, supervisor, or other personal representative during any interview concerning allegations of misconduct.
- K. The employee's representative is limited to acting as an observer of the interview, except when the interview focuses on, or leads to, evidence of potential criminal activity by the employee. Should this occur, the employee's legal representative will be permitted to advise and confer with the employee.
- L. All interviews conducted by IAD will be recorded. The employee will be advised that the interview is being recorded.
- M. IAD is not required to advise an accused employee of his constitutional "Miranda rights" (see end of this section for form) unless:
  1. The employee is in custody.
  2. The interviewing investigator realizes that the employee will not be allowed to leave freely at the conclusion of the interview. At this point during the interview, the employee is effectively in custody and must be advised of his/her rights.
- N. At the beginning of the interview, the investigator will provide the accused employee with the appropriate "Warning and Assurance" form. The circumstances of each investigation and the discretion of the investigator dictates which form the employee will be given. (See end of this directive for suggested warnings).
  1. Warning and Assurance to Employee Requested to Provide Information on a Voluntary Basis. The employee will be advised that:
    - a. He/she has the right to remain silent and that he/she can not be disciplined for exercising this right.
    - b. His/her voluntary statements can be used against him/her in criminal or administrative disciplinary proceedings.
    - c. False statements could subject the employee to disciplinary action including dismissal.

Effective: 07/01/2008  
CALEA Standard(s)—1.3.5

Revised: 10/01/2009; 05/01/2012

- d. An employee who is provided the “voluntary” interview form and declines to answer questions may later be provided with the “required” interview form at the discretion of the interviewer.
2. Warning and Assurance to Employee Required to Provide Information. The employee is advised that:
    - a. He/she is required to fully and truthfully answer all questions and that refusal to do so, or providing false statements can result in administrative disciplinary action, including dismissal.
    - b. Since his/her statements are compelled, they, and any information or evidence gained by reason of those statements, cannot be used against the employee in any criminal proceeding, except if an employee knowingly and willfully provides a false statement or information. He/she may be criminally prosecuted for that action
- O. In accordance with criminal law and/or administrative regulations, an employee may be required to:
1. Submit to a physical line up,
  2. Submit a full financial disclosure statement,
  3. Have photographs taken.
- P. Investigators may require that the employee:
1. Submit to breath, blood, urine or other necessary medical or laboratory examinations.
  2. Submit to tests using instruments for the detection of deception.
- Q. No employee who is the subject of a criminal investigation will be required by OJS to answer questions or submit to examinations or tests in violation of his/her constitutional rights.
- R. Investigations of complaints by IAD will be completed within 90 days. Investigations continuing over 90 days must be approved by an IAD supervisor.

#### 4-48-13 CONCLUSION OF INTERNAL AFFAIRS INVESTIGATIONS-REVIEW BY CHAIN OF COMMAND

- A. After a thorough, impartial investigation of a particular misconduct allegation has been completed, the responsible investigator will forward the completed case to the Agency Chief of Police/Facility Supervisory Correctional Specialist who will review the case including all the evidence and circumstances and reach one of the five following conclusions as the case finding:



Effective: 07/01/2008  
CALEA Standard(s)—1.3.5

Revised: 10/01/2009; 05/01/2012

1. **Unfounded:**  
The investigation revealed conclusively that the alleged act(s) did not occur.
2. **Exonerated:**  
The investigation revealed that the alleged act(s) did occur, but the employee's actions were justified, lawful, and proper.
3. **Not sustained:**  
The investigation failed to disclose sufficient information to clearly prove or disprove the allegation.
4. **Sustained:**  
The investigation revealed sufficient evidence to justify a reasonable conclusion that the accused employee committed the misconduct alleged.
5. **Policy or Training Failure:**  
The allegation is true, but employee's action was not inconsistent with policy and/or training and there is an indication of a need for policy review and revision and/or a need for training.

- B. When a misconduct allegation is sustained, the chain of command will recommend that appropriate disciplinary action be taken against the employee.
- C. The investigation may conclude that the officer's actions were not appropriate, but were the result of properly following faulty policy or poor training (insufficient or improper). The (chain of command) investigator will identify the policy or training deficiency in a written memo to IAD. Necessary changes will be made to the policy and/or training program in concert with IPA. When retraining is indicated, the officer's supervisor will coordinate retraining of the officer through IPA.
- D. Investigations conducted by IAD involving 638 Contract programs will include findings and conclusions.

#### 4-48-14 DISCIPLINARY AND ADVERSE ACTIONS AS A RESULT OF IAD INVESTIGATION

- A. When disciplinary action is taken against an employee, it will be carried out in accordance with applicable federal or tribal code, and/or applicable personnel management regulations.
- B. The employee's immediate supervisor will provide a copy of the proposed and actual disciplinary action to the IAD within 60 days of the receipt of the IAD Report.
- C. Supervisors and Chiefs of Police/Facility SCS's who fail to take appropriate disciplinary action against an employee will themselves face disciplinary action.

Effective: 07/01/2008  
CALEA Standard(s)—1.3.5

Revised: 10/01/2009; 05/01/2012

- D. The supervisor will use an employee's prior record, including past misconduct and disciplinary actions, in determining the appropriate discipline to be imposed, but may not use this information as substantive evidence in determining the employee's guilt in the present misconduct allegation.
- E. Employees may not be disciplined for allegations deemed unfounded, exonerated, or not sustained, and information from these investigations may not be placed in the employee's personnel file.
- F. Consistent with the requirements of applicable code and regulations, disciplinary actions may be recommended/taken based on substantial evidence as defined in this section. Consistent with the requirements of applicable code and regulations, adverse actions may be recommended/taken based on a preponderance of evidence as defined in this directive.
- G. An employee may be disciplined for violations of a criminal law even though the officer has not been, or has never been charged with a substantive criminal offense. Also, acquittal on a criminal charge does not prevent the BIA from recommending and taking appropriate administrative action against an employee.

#### 4-48-15 REPORTS OF ADMINISTRATIVE INVESTIGATIONS

- A. Investigative reports and files will contain appropriate documentation sufficient to support report findings, conclusions, and investigative accomplishments.
- B. The report will consist of a description of the alleged criminal acts and/or misconduct, other misconduct identified if necessary, and a summary analysis of all relevant evidence but will not include findings. In the case of 638 Tribal investigations, investigative findings will be included.
- C. Upon completion of investigations referred to supervisors, all files, documents, and evidence related to the investigation will be forwarded to and maintained by IAD in accordance with applicable records retention policy.
- D. The IAD supervisor will provide a copy of a completed IAD investigation following IAD's internal approval process to the appropriate Chief of Police/Facility SCS or supervisor whose responsibility is to ensure that:
  - 1. When an allegation is sustained, appropriate disciplinary action against the guilty employee is taken.
  - 2. The IAD report and contents remain confidential and that access is limited to officials in the employee's chain of command, Personnel Manager, Security Manager, and when appropriate, Tribal officials.

Effective: 07/01/2008  
CALEA Standard(s)—1.3.5

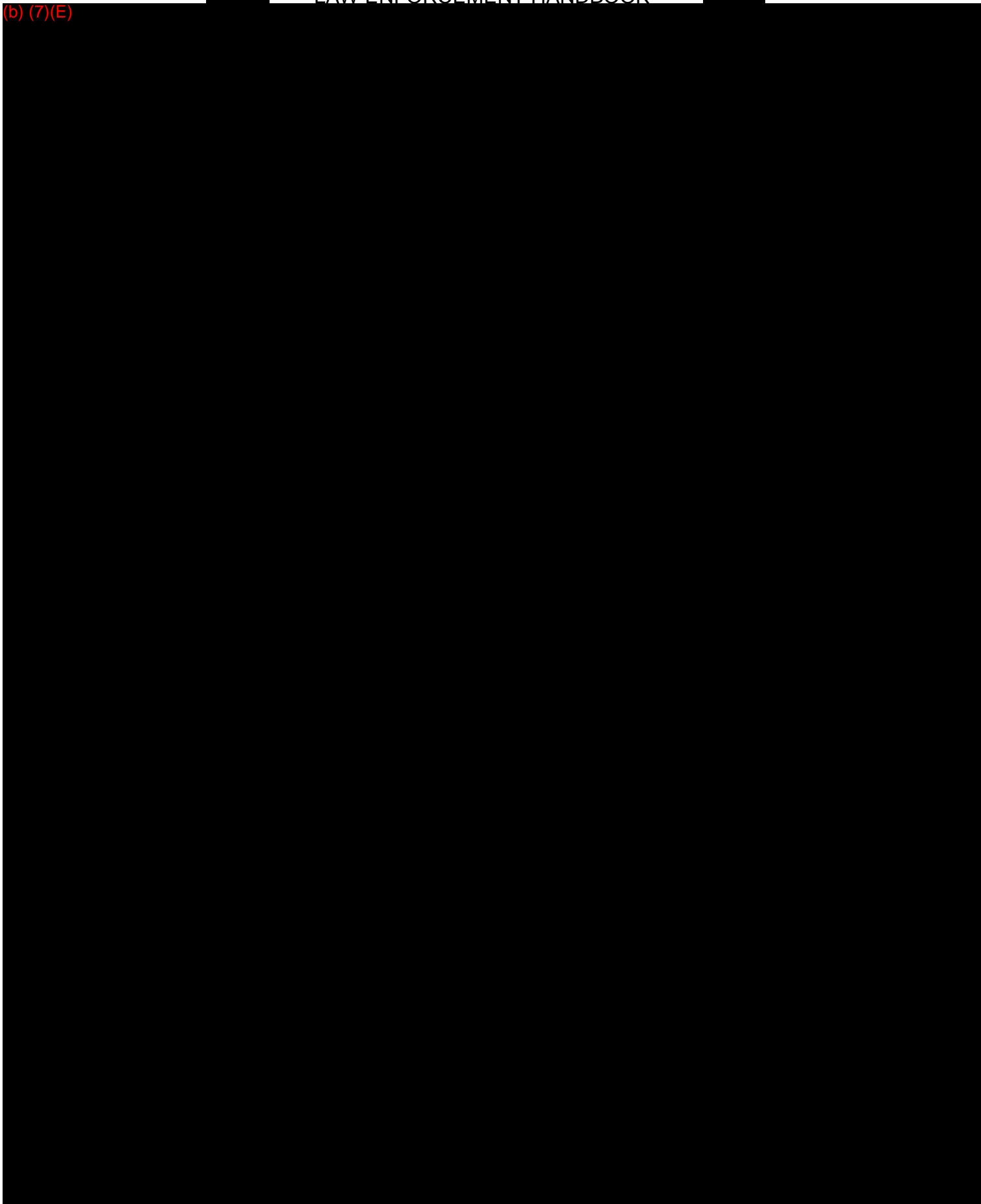
Revised: 10/01/2009; 05/01/2012

3. IAD Case file reports will be returned to IAD when all administrative actions are completed, including the Accountability and Tracking Form.
  4. All completed field administrative investigations will be forwarded to IAD when they are completed.
- E. IAD will retain a copy of all reports.
- F. The agency COP or Facility SCS will provide written notification to the accused employee of the completion and results of the investigation.
- G. IAD or the investigating agency/facility supervisor who is tasked with investigating Class III and IV allegations will provide written notification informing the complainant of the receipt of the complaint, periodic status reports and notification of the results of the investigation. Periodic updates may be accomplished by telephone.
1. If the allegation was deemed unfounded, exonerated, or not sustained, the letter will briefly explain why.
  2. If the allegation was deemed sustained, the letter will note that the appropriate disciplinary action has been recommended. The specifics of the discipline will not be disclosed.
- H. All IAD records, reports, and related information are confidential documents, which will be kept secured and physically separated from other law enforcement and personnel records. Information in these files is considered confidential and will be retained in a secured area under the control of IAD with access limited for official purposes, and consistent with applicable laws and procedure. Copies will not be retained in local agency/facility personnel files without the express written consent of the IAD Chief.

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Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## C4-52 FISCAL, INDEPENDENT, AND INTERNAL AUDITS/INSPECTIONS

### POLICY

All Detention Facilities operations are audited/inspected as part of the Law Enforcement Services Program Review, to review and assess the operations and activities of the OJS Directorate of Operations.

### RULES AND PROCEDURES

#### C4-52-01 ACCOUNTING COMPLIANCE

If operated by the BIA, the facility shall comply with the Bureau accounting directives. If operated by a Tribe, the facility shall comply with Tribal accounting directives.

#### C4-52-02 FISCAL AUDITS/ACCOUNTABILITY

- A. OJS detention staff will adhere to the BIA BIAM and OPM manuals.
- B. OJS detention staff will adhere to the Branch of Financial Management policies.
- C. For questions and concerns regarding fiscal audits/accountability, staff may consult with the Facility Law Enforcement Assistant.

#### C4-52-03 INDEPENDENT AUDITS/INSPECTIONS

- A. PSD Inspectors will conduct an inspection of a Detention Facility as scheduled by PSD or at the request of the Directorate of Operations.
- B. The inspector will provide the Chief of Corrections, District SCS, and Facility SCS with a program assessment identifying deficiencies and items of non-compliance, as well as steps to be taken to come into compliance.
- C. The Chief of Corrections, District SCS, Facility SCS, and Law Enforcement Assistant will meet to identify a corrective action plan and time frame to address deficient or non-compliant items.
- D. The Chief of Corrections, District SCS, and the Facility SCS will establish the date for the next status meeting.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

- E. The Facility SCS will implement any recommended changes or document why changes cannot be made.
- F. The Chief of Corrections will prepare an after-action report indicating either that the changes have been implemented or why they were not implemented.

#### C4-52-04 INTERNAL AUDITS

- A. The Facility SCS will notify appropriate facility personnel and inform them of what aspect of the facility he/she will be auditing and when the audit will occur.
- B. The Facility SCS will examine all areas that are being audited and will document the results of the audit.
- C. The Facility SCS will notify the appropriate employee in charge (b) (7)(E) [REDACTED]  
[REDACTED]  
[REDACTED] he employee a specified amount of time to correct deficiencies if any are noted.
- E. The Facility SCS will re-audit any areas that were identified as deficient during the first audit, ensuring that the problems have been corrected.
- F. The Facility SCS will maintain a file of written documentation of the audit and its results.



Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

## C4-70 BUDGET, PETTY CASH, CASH MGMT, PAYROLL, PROCUREMENT POLICY

The Detention Facility SCS will submit a budget on a yearly basis to the Directorate of Operations Deputy Associate Director to provide for the essential resources to operate a safe and secure detention facility in an efficient manner.

The Bureau of Indian Affairs Office of Justice Services does not maintain petty cash. All transactions are paid by Government Credit Card or Purchase Order Payment by a by an individual with purchase authority. Contracts exceeding \$3000.00 are paid through the accounting office.

Detention facilities neither receive nor issue cash except money that inmates have in their possession at the time of admission.

The OJS Directorate of Operations provides for proper payroll procedures to guarantee that all Detention Staff are paid accurately and in a timely manner.

In order to facilitate efficient and accountable use of its appropriated funds, the Directorate of Operations follows established purchasing guidelines when acquiring necessary supplies, services, and equipment.

### RULES AND PROCEDURES

#### C4-70-01 BUDGET PREPARATION

- A. The Detention Facility SCS through the DSCS and the Chief of Corrections will provide the Directorate of Operations Deputy Associate Director with a cost analysis for major line items needed and staffing requirements, based on the previous year's budget and future projections.
- B. The Facility SCS will request budget input from facility staff members and will forward the information to the Directorate of Operations Deputy Associate Director through the chain of command.
- C. The Facility SCS, District SCS, Chief of Corrections and the Directorate of Operations Deputy Associate Director will review the information and project possible increases or decreases based on staffing, costs, equipment, and needs.

#### C4-70-02 BUDGET MODIFICATION

- A. The facility Law Enforcement Assistant will monitor the budget monthly through expenditures.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

- B. The Law Enforcement Assistant may suggest revisions and transfer funds as necessary, noting unusual expenditures.
- C. The Law Enforcement Assistant will provide this information to the Directorate of Operations Deputy Associate Director or designee and the Facility SCS for review and action through the chain of command.
- D. The Directorate of Operations Deputy Associate Director or designee, other members in the chain of command, and the Facility SCS will meet with the Law Enforcement Assistant to review the budget revisions and obtain their input and direction.
- E. The Approving Office will provide an adjusted copy of the budget to the Facility SCS reflecting monies left for expenditures.

#### C4-70-04 PETTY CASH

- A. Detention facility staff will adhere to the BIA Personnel Policy Manual.
- B. Detention facility staff will adhere to the BIA BIAM and OPM manuals.
- C. For questions and concerns regarding reimbursement for legitimate personal expenditures staff will consult with the Law Enforcement Assistant.

#### C4-70-05 INMATE CASH

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#### C4-70-06 PAYROLL

- A. Detention facility staff will adhere to the BIA Personnel Policy Manual.
- B. Detention facility staff will adhere to the BIA BIAM and OPM manuals.
- C. For questions and concerns regarding payroll, staff will consult with the Law Enforcement Specialist assigned to each facility.

#### C4-70-07 DIRECT DEPOSIT

- A. All OJS detention facility employees will complete a Direct Deposit Form to permit the electronic deposit of payroll funds into an established checking or savings account at a financial institution.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

- B. Staff will update the Direct Deposit Form anytime there is a change in account.
- C. Staff will submit the Direct Deposit Form to the Law Enforcement Assistant after the financial institution has completed the routing information.

#### C4-70-08 ACH VENDOR FORM

- A. Staff will update the ACH Vendor Form any time account information changes, including change of residence.
- B. Staff will submit the ACH Vendor Form to the Law Enforcement Assistant after the financial institution has completed the routing information.

#### C4-70-09 REQUEST FOR CORRESPONDENCE, NET CHECK, RESIDENCE INFORMATION

- A. Staff will complete the Request for Correspondence, Net Check, and Residence Information Form any time a change of residence occurs.
- B. Staff will submit the form to the Law Enforcement Assistant after completion.

#### C4-70-10 OJS CORRECTIONS FACILITIES PROCUREMENT

- A. Federal Acquisition Regulation Compliance  
If operated by the BIA, the facility shall comply with OJS directives for facility services, equipment and supply purchases. If operated by a Tribe, the facility shall comply with Tribal directives for facility services, equipment and supply purchases.
- B. Furnishings and Equipment Code Compliance  
The administrator shall maintain documentation by an independent, qualified source that the interior furnishing materials in inmate living areas, exit areas and places of public assembly shall be in accordance with NFPA Life Safety Code Section 6-5 or comparable tribal regulations.

#### C4-70-11 PROCUREMENT GUIDELINES

- A. Detention facility staff shall adhere to the BIA Personnel Policy Manual.
- B. Detention facility staff shall adhere to the BIA BIAM and OPM manuals.
- C. Detention facility staff shall adhere to the Office of Contracts and Procurement policies.
- D. For questions and concerns regarding procurement, staff will consult with the facility Law Enforcement Assistant.
- E. Staff will obligate funds or make promises to obligate funds only with official written approval from the appropriate approving official.



Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010:

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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## C4-72 INVENTORY CONTROL

### POLICY

At least annually, each OJS Detention Facility will conduct an inventory of all equipment and supplies to ensure that equipment and supplies are of sufficient quantity, are accounted for, and are in working order.

### RULES AND PROCEDURES

#### C4-72-01 INVENTORY CONTROL

- A. Upon appointment, every detention facility staff member shall read and sign the form "Employee Responsibilities for Supplies, Materials, and Equipment".
- B. All Detention Facility staff members shall adhere to the BIA Personnel Policy Manual.
- C. All Detention Facility staff members shall adhere to the BIA BIAM and OPM manuals.
- D. For questions and concerns regarding inventory control, staff members may contact the Facility Supply Technician.
- E. The Law Enforcement Assistant will maintain a file on purchased and received supplies, materials and equipment.



Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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Effective: 01/01/2012 Revised:  
BIA Adult Detention Facility Guidelines December 2010

## GLOSSARY OF TERMS DEFINITIONS

**Administrative Contraband** – Personal property items that are not illegal to possess but are items not permitted in a detention facility due to health and safety concerns.

**Ambulatory restraints** - are defined as approved soft and hard restraint equipment which allows the inmate to eat, drink, and take care of basic human needs without staff intervention.

**Annual Report** - Report used to advise a number of organizations of the activities of the detention facility. This yearly report summarizes events, facility goal attainment, statistical and fiscal information for the preceding year; it is used to establish goals for the next year.

**Bio-hazardous** - Something that is dangerous, because it contains harmful biological elements, typically blood-borne pathogens.

**Bio-hazardous Tag** - A form that is used to mark waste containers that contain bio-hazardous waste.

**Blood-borne Pathogens** - Disease-producing agents found in blood.

**Body Belt** - A device that allows the CO to handcuff the inmate in front yet restricts the movement of the inmate's arms and hands.

**Bomb emergency** – Name for the event when a device is found that most likely is a bomb.

**Bomb threat** – The name for the event when a communication is received from an unknown source that a bomb is at the facility or when a staff member observes a suspicious container that does not belong in the facility.

**Calculated Use of Force** - That force that may be necessary to control an inmate when the inmate is in an area that can be isolated (e.g., a locked cell) and when there is no immediate danger to the inmate or others, and there is time to apply the calculated use of force in the application of restraints, when staff have determined that the situation cannot be resolved without resorting to force. For the purpose of this handbook, this calculated use of force will be called a "Tactical Response".

**Chain of Command** The means through which the authority that has been given to the Directorate Associate Director is delegated to his/her subordinates. It is also the vehicle used to hold people accountable and for purposes of communication.

**Change Order-Local Facility** – An order issued by a Facility SCS providing additional guidance to a written directive found in the Handbook. In no case will a change order countermand a directive in the Handbook. Change Orders will address specific situations at his/her facility that are not specifically covered in the Handbook. Additions or modifications may not lessen the requirements identified in the Division Handbook

**Chief of Corrections (COC)** – The individual responsible for ensuring policies, procedures, and standards for the operations of detention programs in the BIA and by Tribal contract are adhered to, to ensure detention needs within Indian Country are being met.

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Effective: 01/01/2012      Revised:  
BIA Adult Detention Facility Guidelines December 2010

**Class I Criminal Misconduct** - Any violation of federal, state, tribal or local laws that can be addressed through the criminal justice process, either as a felony or a misdemeanor, including allegations of excessive force.

**Class II Serious Misconduct** - Those criminal allegations for which prosecution has been declined and any non-criminal allegation which would be in violation of a federal government-wide, DOI, BIA or law enforcement agency standard of conduct, regulation, or policy, which is considered serious in nature.

**Class III - Other Misconduct** This misconduct includes, but is not limited to Attendance matters, not involving other forms of misconduct, negligence or careless performance of assigned duties, covering up or attempting to conceal defective work, failure or delay in carrying out orders, work assignments, instructions of supervisors, or insubordination, interference with other employees in the performance of official duties, failure to maintain a neat, clean and business-like appearance or to comply with uniform dress standards while on duty. Unauthorized outside employment or business activity, discourteous or disrespectful conduct towards members of the public, co-workers or supervisors. Failure to honor just financial obligations in a prompt and timely manner. Borrowing/lending substantial sums of money in relation to fellow employees.

**Class IV - Administrative Misconduct** Violations that are usually considered administrative in nature. These do not usually require an investigation by OJS, but are within the authority of the Directorate Associate Director.

**Contraband** – In a detention setting, there are two types of contraband, one type being administrative and one being illegal. Neither type of contraband is allowed to be possessed by an inmate.

**Contraband, illegal** - Those items which are not authorized at any time within a Detention Facility.

**Contraband, Unlawful** - Those items such as un-prescribed drugs, marijuana, methamphetamines, when possession can result in criminal prosecution.

**Correctional Officer (CO)** - A Correctional Officer supervises criminal offenders/inmates in detention facilities. This involves complex tasks related to most aspects of facility security and inmate custody.

**Criminal Sexual Misconduct** - The abuse of authority by Office of Justice Services personnel for sexual purposes that violate the law.

**Deadly Force** - Force which is intended to cause death or grave injury or which creates some specified degree of risk that a reasonable and prudent person would consider likely to cause death or grave injury.

**Deputy Associate Director, Directorate of Operations** – The individual that has been delegated the responsibility for the development of corrections policies, standards, and management of all Bureau of Indian Affairs corrections initiatives in the BIA and by Tribal contract, as necessary, to meet the detention needs within Indian Country.

**Disciplinary Chair** - Staff member appointed by the Facility SCS to chair a disciplinary hearing.

**Disciplinary Detention** - Disciplinary lockdown; either the removal of an Inmate charged with a major (A) or minor (B) rule violation from his/her housing unit to the Special Management Housing Unit, or a prescribed period of time spent in his/her cell. During this time, the inmate may only be allowed out of his/her cell for meals, medical rounds, attorney calls, visits, showers, and recreation.

**Disciplinary Hearing** - A hearing conducted by the Disciplinary Chair to hear the facts of an alleged rule violation and make a decision of guilt and impose sanctions.



Effective: 01/01/2012      Revised:  
BIA Adult Detention Facility Guidelines December 2010

**District Supervisory Correctional Specialist (DSCS)** – The individual that is responsible for the full implementation of all policies, procedures, and standards for the operations of detention facilities in the BIA and by tribal contract within his/her District.

**Disturbance Response Team** - A group of on-duty CO's that may or may not be fully equipped or trained but must respond immediately to a crisis situation. When properly trained and equipped, a Disturbance Response Team "Technique" will be used.

**Emancipated Youth** – A youth younger than 18 years of age that has been granted status as an adult by order of a court of law.

**Emergency Management Plan (EMP)** – Plans developed by each detention facility to address and manage emergency situations. These plans should be reviewed and updated annually or as needed.

**Exonerated** – When an investigation reveals that the alleged act(s) did occur, but the employee's actions were justified, lawful, and proper.

**Facility Supervisory Correctional Specialist** – The individual that is responsible for the full implementation of all policies, procedures, and standards for the operation of a specific detention facility in the BIA or a facility under Tribal contract. For the purposes of this Handbook, the Facility SCS is always designated as the "Facility Supervisory Correctional Specialist (SCS)" even though some facilities may be managed by a Supervisory Correctional Officer (SCO).

**Facility Support Staff** – Support staff members may include employees performing custodial duties, kitchen personnel, medical personnel, maintenance personnel, and others employed directly or through an MOU's/MOA's.

**FMIS** - Facility Management Information System. A computer database where facility maintenance orders are logged.

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**General Assistance Counseling** - This type of counseling referral deals with situations in which an employee requires assistance with a problem which is not directly job related but which may have an effect on job performance, and during which the employee typically remains fit for duty.

**Handbook Temporary Waiver Request/Request for Additional Resources** – A temporary request initiated by a Facility SCS when a written directive in the Detention Handbook cannot be met. The request will be sent to the Associate Director for approval through the chain of command.

**Illegal Contraband** – Items possessed by an arrestee/inmate that are illegal to possess.

**Inmate Log** - A Log used for each inmate in order to document their behavior and to share information with other staff. Entries may include information related to, but not limited to, counseling, discipline, general information, health, visitation, and personal hygiene item exchange. At the end of each shift, the Housing Officer will summarize each of the inmate's behavior in the Inmate Log to assist the oncoming Housing Officer in knowing what to expect, etc.

**Intimate Parts** – The genital area, inner thigh, buttocks, or breasts of a person.

**Juvenile** Any person under the age of 18 years (unless otherwise defined by Tribal Code). This is a person who has not attained his eighteenth birthday or, for purposes of juvenile court proceeding, a child less than twenty-one years of age who became the subject of a juvenile court proceeding before the child's eighteenth birthday.

Effective: 01/01/2012      Revised:  
BIA Adult Detention Facility Guidelines December 2010

**Juvenile Detention** - The temporary care of a youth alleged to be delinquent, who requires secure custody in a physically restricting facility.

**Juvenile Detention Facility** - A local confinement facility for the temporary care of juvenile offenders and juveniles alleged to be delinquent who require secure custody in a physically restricting facility for more than 24 hours.

**Law Enforcement Assistant (LEA)** - A LEA is a trained civilian staff person who is responsible for conducting administrative duties at a Detention Facility.

**Lead Correctional Officer (LCO)** - A Lead Correctional Officer is an officer who serves as a work leader that, on a regular and recurring basis, leads three or more officers in accomplishing daily work tasks.

**Major Rule Violations** - "A" rule violations which may be considered an immediate threat to the security of the facility or its staff, inmates, or visitors, or any act which constitutes a violation of statutory law.

**Master record file** (6 Part Folder) also referred to as a custody record will be maintained for each adult and juvenile inmate. This file will contain all information except medical information regarding the inmate.

**Memorandum of Agreement (MOA)** - A written agreement that defines the terms, conditions, and responsibilities of the parties to accomplish the mutual benefits identified in the MOA.

**Memorandum of Understanding (MOU)** - A written memorandum that defines the terms, conditions, and responsibilities of the parties to accomplish the mutual benefits identified in the MOU.

**Minor Rule Violations** - Rule violations which are not considered to present an immediate threat to the security of the facility or its staff, inmates, or visitors.

**Misconduct** - Any of the following acts or omissions that could normally result in administrative or disciplinary action: the commission of a criminal offense, neglect of duty, violation of DOI, BIA, OJS or detention facility policies, rules or procedures, conduct which may tend to reflect unfavorably upon the employee or the detention facility.

**Mission Statement** - A general statement, which describes the purpose of the organization and the philosophy or values by which it will be operated. It defines the purpose of the program, the statutory requirements and applicable standards under which it must be operated, and the program's responsibilities to the community.

**Natural Disaster** - Any of the following natural events, including but not limited to: hurricane, tornado, storm, flood high water, high winds, earthquake, drought, blizzard, ice storm, fire or other natural catastrophe resulting in damage, hardship, suffering or possible loss of life.

**Non-Deadly Force** - That force employed which is not intended to cause death or serious physical injury. Note: the use of restraints is not considered use of force, particularly in the movement or transfer of inmates (e.g., the use of handcuffs in moving inmates to and from a cell in detention, escorting an inmate to a segregated housing unit pending investigation, etc.).

**Not Sustained** - The finding when an investigation failed to disclose sufficient information to clearly prove or disprove the allegation.

**Off-Duty Employment** - Off-duty employment is limited to those activities that do not require the use or the potential use of the employee's law enforcement powers.

**Offense** - Any crime against the United States and includes a violation of a Federal regulation relating to part or all of Indian country.

Effective: 01/01/2012      Revised:  
BIA Adult Detention Facility Guidelines December 2010

**On-The-Job (OJT) Checklist** - A form used to record those orientation and training activities as they are explained, demonstrated and performed.

**Orientation Training** - The training provided for all facility employees prior to working a post in the facility.

**Post Log** – A Log that the Housing Officer maintains at all times to record activities such as counts, visits, meals, sick call, recreation, emergency situations, and unusual events.

**Post-Traumatic Stress Counseling** - Professional assistance and counseling for employees that have experienced a traumatic incident.

**Post-Traumatic Stress Disorder** - A psychological disorder that is triggered by involvement in a traumatic incident. The disorder may be triggered by a single serious incident or a series of lesser incidents over time. Symptoms include a variety of undesirable behavioral, social or emotional problems and may be short-term and self-limiting or long-term and very serious.

**Pre-Hearing Detention** - Lockdown used to separate an inmate immediately after he/she has committed a major (and some minor) violation. The inmate may be locked down in his/her own cell or he/she may be taken to the Special Management Housing Unit. This type of detention may be required depending upon the seriousness of the violation, or may be used at the discretion of the On Duty Supervisor in order to protect the inmate and to maintain the security of the facility.

**Privileges** - Extra services or benefits given to inmates as a tool to control inmate behavior and reduce idleness. These include private (but not illegal) phone calls, access to the library (but not access to legal materials), personal visits (but not visits with attorneys), access to television, radio and special events.

**Progressive restraints** - are defined as the process of using the least restrictive restraint method to control the inmate as deemed necessary for the situation.

**Sanctions** - The denial of inmate privileges and entitlements.

**Serious Incident Report** – A mandatory report generated immediately following any serious incident and forwarded to the Chief of Corrections through the chain of command.

**Sexual Assault** - Those offenses involving sexual penetration or contact with any person by force, fear, or intimidation, or any attempts to force sexual penetration or contact on any person are considered sexual assaults. Any forced sexual contact or unwanted sexual touching is a crime, whether persons are married or not. Indirect assaults include obscene phone calls, exhibitionism, and indecent exposure. Direct assaults include rape, incest, child molestation, sodomy, and attempts thereof.

**Sexual Contact** - Any contact for the purpose of sexual gratification of the OJS employee with the intimate parts of another person while serving in a detention capacity.

**Sexual Harassment** - Per Title VII of the Civil Rights Act of 1964, sexual harassment is defined as the deliberate or repeated behavior of a sexual nature by one employee to another that is unwelcome, unasked for rebuked by the other employee. The behavior can be verbal or physical.

**Sexual Misconduct** - Any sexual activity while on-duty or stemming from official duty which includes but is not limited to the use of official position and official resources to obtain information for purposes of pursuing sexual conduct.

**Supervisor** - Both sworn and civilian employees assigned to a position having day-to-day responsibility over subordinates, or responsible for commanding a work element.

Effective: 01/01/2012      Revised:  
BIA Adult Detention Facility Guidelines December 2010

**Supervisory Correctional Officer (SCO)** – The individual that is responsible for the full implementation of all policies, procedures, and standards for the operation of a specific detention facility in the BIA or a facility under Tribal contract when a Facility Supervisory Correctional Specialist (SCS) is not assigned to the facility.

**Sustained** - The finding when an investigation revealed sufficient evidence to justify a reasonable conclusion that the accused employee committed the misconduct alleged.

**Training Coordinator** – The staff member assigned by the Facility SCS to coordinate training.

**Training Record** - A form (SF-82) used to document training for each staff member.

**Training Record** - An official record which includes documentation of participation at all mandatory pre-service and in-service training, copies of all certifications, re-certifications, and a schedule of each employee's re-certification dates.

**Training Report** - A report of annual training activities, including documentation of all training received by each employee to satisfy pre-service and in-service training requirements and certifications/re-certifications.

**Training Sign In Sheet** - A form used to document the employee's participation at training.

**Unfounded** - The finding when an investigation revealed conclusively that the alleged act(s) did not occur.

**Unit Roster** - The Unit Roster is a computerized form that shows all the inmates in the facility by unit and bed. This form is used to check for available beds in the Housing Unit(s). It also shows the inmate's current behavior management system level and comments such as medical restrictions, special diets, etc.

**Warning and Assurance to Employee Requested to Provide Information on a Voluntary Basis Form.**  
A form given to an employee who is requested to provide information prior to being interviewed as part of an internal affairs investigation.

**Warning and Assurance to Employee Required to Provide Information Form** - A form given to an employee who is required to provide information prior to being interviewed as part of an internal affairs investigation.

**Witness** - A person who observed, or has information about, some part of the crime; or observed events leading up to, or occurring after, the crime; or has some knowledge which links a specific individual, item of evidence, or vehicle to a crime, or has knowledge related to motive for commission of a crime; or has knowledge which tends to be exculpatory.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## INDEX

Access to Health Care	C2-40
Accident and/or Injury, Staff	C4-37
Accidents, Vehicle	C1-22
Administration of Health Care Services	C4-22
Administration of Treatment	C2-55
Administrative Reporting System	See 1-56 Facility Reports
Annual Reports	C1-56
Appraisal, Health	C2-43
Arrestee, Receipt of	C2-20
Assignment, Staff	C4-32
Audits/Inspections-fiscal, Independent, and Internal	C4-52
Automatic Fire Alarm and Sprinkler Detection System	C1-30
Badges and Credentials	C1-20
Baton, Use of	C2-02
Bite Guards, Use of	C2-02
Bomb Threats/Bomb Emergencies	(EMP) C2-09
Booking	C2-20
Briefing, Staff	C4-19
Budget, Petty Cash, Cash Management, Payroll, Procurement	(Refer to DOI Budget Execution Model and Reconciliation)
Cell Checks	C2-30
Certification of Detention Officers	C4-41
Chain of Command	C-IV
Change Order-Local Facility	C-V
Chemical Agents	C2-02
Chemical Dependencies, Managing	C2-42
Civil Disturbances	(EMP) C2-11
Classification, Inmate	C2-20
Code Compliance	C1-30
Codes of Ethics and Conduct	C1-01
Community Service	C2-27
Compliance with Personnel Regulations	REFER TO 43 CFR Part 20
Confidentiality and Release of Records	C1-51
Consent for Health Care	C2-41
Continuity of Care	C2-55
Contract Agencies-Services	C4-21
Control Center and Door Control	C2-08
Counseling and Psychological Services	C1-09
Counseling Services	C2-27
Counts, Inmate	C2-23
Crime Scenes	(EMP) C2-11
Criminal Actions	(EMP) C2-11
Criminal Violations	(EMP) C2-11
Cultural Education Program	C2-27
Curriculum Development and Approval	C4-41
Death, Response to	C2-16
Defibrillator, Emergency	C2-15
Delegation of Authority	C-IV

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

Dental Care	C2-49
Dental Screening and Evaluation	C2-55
Detainee Grievances	C2-29
Dietary Allowance	C1-34
Diets, Special	C1-34
Disasters, Natural	(EMP) C2-10
Discipline and Adverse Actions	See Dept. Manual 370 DM 752
Discipline, Inmate	C2-29
Discrimination	C1-02
Disturbances and Riots	(EMP) C2-11
Door Control	C2-08
Drug Testing	C1-05
Education Program	C2-27
Emergency Defibrillator	(EMP) C2-15
Emergency Lighting Testing	C1-33
Emergency Management Plans	(EMP) C2-10
Emergency Plans	(EMP) C2-10
Emergency Power Generators	C1-33
Emergency Repairs	C1-33
Employee Assistance Program	C1-09
Environmental Conditions	C1-30
Equal Employment Opportunity	C4-37
Equipment Control	C1-25
Escapes	C2-12
Evacuation Plans and Emergency Drills	(EMP) C2-10
Facility Maintenance	C1-33
Facility Radios	C4-17
Facility Reports	C1-56
Facility Safety Guidelines	C1-30
Facility Security	C2-14
Final Release	C2-32
Fire Emergency Plan	(EMP) C2-10
Fire Safety Inspections	C1-30
Fire Safety Officer-Inspections	C2-15
Fire Safety, Facility Security and Sanitation	C2-14
First Aid Kits-Emergency Defibrillator	(EMP) C2-15
Fiscal, Independent, and Internal Audits/Inspections	C4-52
Fitness for Duty Determination	C1-09
Flammable, toxic, and Caustic Materials	C1-33
Food and Meal Services	C1-34
Food Poisoning	(EMP) C1-34
Food Purchase and Accounting	C1-34
Food Service Staff	C1-34
Food Service Uniform	C1-20
Food Storage	C1-34
Food Utensil Control and Use	C1-34
Force, Use of in Detention Facilities	C2-02
Four Point Restraints, Use of	C2-04
Freedom of Information Act	C1-51
Generator, Power	C1-33
Grievances, Inmate	C2-29
Hair Care Services	C2-27

Effective: 01/01/2012 Revised:  
 BIA-Adult Detention Facility Guidelines December 2010

Handicapped Inmates, Management of	C2-54
Hanging, Response to	C2-16
Health Appraisals and Examinations	C2-43
Health Care Decisions	C2-45
Health Care Personnel	C2-47
Health Care Records and Confidentiality	C2-48
Health Care Treatment	C2-49
Health Care, Access to	C2-40
Health Care, Consent for	C2-41
Health Education	C2-50
Health Examinations	C1-07
Hearings, Inmate	C2-31
Hospitalization	C2-55
Hostage Situations	(EMP) C2-11
Housekeeping	C1-33
Housing Assignment	C2-26
Hunger Strikes	(EMP) C2-10
Hygiene Items, Inmate	C2-27
Hygiene, Staff	C1-06
Illness, Response to	C2-16
Incentive Program	C2-27
Incident Reporting	C1-55
Indian Civil Rights Act of 1968	Appendix A
Indian Police Academy Training (IPA)	C4-41
Individual Treatment Plans	C2-55
Infectious Disease Program	(EMP) C2-13
Information Release	C4-14
Injury, Response to	C2-16
Inmate Communication	C4-19
Inmate Counts	C2-23
Inmate Escapes	(EMP) C2-12
Inmate Handbook	Refer to Handbook Appendix D C2-21
Inmate Health Services, other	C2-55
Inmate Intake and Classification	C2-20
Inmate Personal Property	C2-22
Inmate Records	C1-52
Inmate Release	C2-32
Inmate Rules, Discipline, and Grievances	C2-29
Inmate Supervision	C2-30
Inmate Transport	C2-24
Inmate Worker Program	C2-27
In-Service Training	C4-42
Insurance Coverage	C4-37
Internal Affairs	L4-48
Inventory Control	C4-72
Inventory of Property	C2-22
Investigation of Complaints	L4-48
Key Control	C1-26
Laundry	C2-27
Legal Assistance	C4-20
Library	C2-27
Local Facility Change Order	C-V
Lockdown-Unlock	C2-30

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

Mail	C2-27
Management of Special Needs Inmates	C2-54
Managing Chemical Dependencies	C2-42
Mass Arrests-Civil Disturbances	(EMP) C2-11
Meal Costs	C1-34
Meal Delivery Service	C1-34
Meal Preparation	C1-34
Media Contact, Interviews	C4-14
Medical Conditions, Staff	C4-37
Medication Usage, Staff	C4-37
Medications, Inmate	C2-53
Mental Health Services	C2-55
Mental Illness and Retardation	C2-55
Menu Planning	C1-34
Metal Detector, Use of	C2-03
Minor and Major Rule Violations-Hearings	C2-31
Mission-Vision Statement	C-I
MOA/MOU	C4-21, C4-22
Natural Disasters	(EMP) C2-10
Notary Service	C2-27
Oath of Office	C1-01
Off-Duty Employment	C1-10
Organization Chart	C-III
Orientation and On-the Job Training	C4-40
Other Disposition of Property	C2-22
Part-Time Staff	C4-37
Peer Support	C1-09
Per Diem and Fund Accounts	C2-27
Performance Evaluation	C1-09
Performance Reviews, Staff	C4-31
Perimeter Security and Perimeter Checks	C2-07
Personal Appearance and Hygiene, Staff	C1-06
Personal Hygiene Items, Inmate	C2-27
Personnel Files	C4-35
Pest Control	C1-33
Photos in the Facility	C4-14
Physical Fitness	C1-07
Physical Plant	(Refer to Facilities Management-OFMC, Uniform Building Code, OSHA)
Population Management Control	C2-19
Post Assignments	C4-32
Post Log	C2-30
Post Orders	C4-40
Power Generator	C1-33
Pre-Booking	C2-20
Pregnancy Management	C2-55
Prescription Medications	C2-53
Preventive Maintenance	C1-33
Probationary Period, Staff	C4-31
Professional Standards Directorate (Internal Affairs & Inspections)	L4-48
Professional Standards Directorate	C4-45
Programs and Services for Inmates	C2-27
Promotion, Staff	C4-31
Prosthesis and Eyeglass Services	C2-55



Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

Psychological Services	C1-09
Public Information	C4-14
Radios	C4-17
Receiving and Documenting Deliveries	C1-32
Records Management and Retention	(See BIA Records Retention Schedule)
Records, Adult	C1-52
Records, Confidentiality	C1-51
Records, Juvenile	C1-52
Records, Release of	C1-51
Recreation	C2-27
Release of Information	C4-14
Release of Inmate	C2-32
Release of Property	C2-22
Release of Records	C1-51
Religious Programs	C2-27
Repairs, Routine and Emergency	C1-33
Response to Emergency Situations in Detention Facilities	C2-05
Response to Illness, Injury or Death	(EMP) C2-16
Restraint Chair, Use of	C2-04
Restraint of Inmates	C2-04
Riots	(EMP) C2-11
Routine Repairs	C1-33
Rule Violations, Minor and Major	C2-31
Rules, Inmate	C2-29
Safety and Sanitation	C1-33
Sanitation and Cleanliness Inspections	C1-34
Sanitation	C2-14
Schedules, Master and Daily	C4-32
Screening and Classification	C2-20
Searches	C2-03
Separation of Adult and Juvenile Operations and Facilities	C-VI
Separation, Juvenile and Adult	C-VI
Serious Incident Reporting	(EMP) C1-55
Sex Offender Registration and Notification Act	C2-34
Sexual Abuse/Assault Crisis Intervention Protocol	Appendix E
Sexual Assault Prevention and Intervention	C2-17
Sexual Harassment	C1-02
Sexual Misconduct	C1-03
Shift Briefings-Reporting to Work	C4-37
Special Diets	C1-34
Special Needs Inmates, management of	C2-54
Special Orders	C-V
Specialized Training	C4-43
Staff Accident and/or Injury	C4-37
Staff and Inmate Communication with the Media	C4-14
Staff Breaks	C4-37
Staff Communication	C4-19
Staff Development	C4-45
Staff Grievances	C4-37
Staff Guidelines, Other	C4-37
Staff Library	C4-37
Staff Mail	C4-37
Staff Meal Service	C1-34
Staff Medical Conditions and Medication Usage	C4-37

Effective: 01/01/2012 Revised:  
 BIA-Adult Detention Facility Guidelines December 2010

Staff Meetings	C4-19
Staff Out-Processing	C4-37
Staff Probationary Period, Performance Reviews, Promotion	C4-31
Staffing Plans-Staffing, Workloads and Assignments	C4-32
Statement of Organization	C-II
Statutory Authority	C-IV
Storage of Property	C2-22
Suicide Prevention Information	Appendix C
Suicide Prevention	(EMP) C2-18
Suicide Rescue Tool	C2-15
Supervision, Inmate	C2-30
Supervisory Training	C4-45
Telephone	C2-27
Temporary Release	C2-32
Temporary Waiver Request	C-V
Tobacco Use	C1-06
Tool Control	C1-25
Total Facility Evacuation	(EMP) C2-10
Training Management- Staff Development and Supervisory Training	C4-45
Training Officers	C4-45
Transport, Inmate	C2-24
Unanticipated Shortages of Staff	C4-37
Uniform Standards	C1-20
Use of Force in Detention Facilities	C2-02
Use of Force, OJS	SEE HANDBOOK APPENDIX B
Valuables, Inmate	C2-22
Vehicles	C1-22
Visitation – Personal, Professional, Special	C2-27
Volunteer Program	C4-38
Waste Disposal	C1-33
Water Supply	C1-33
Work Education Release	C2-32
Work Place Violence	C1-02
Work Stoppage	(EMP) C2-10
Written Directive System	C-V

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## HANDBOOK APPENDIX A

### **Indian Civil Rights Act of 1968 (25 U.S.C. §§ 1301-03)**

#### **§ 1301. Definitions**

For purposes of this subchapter, the term -

1. "Indian tribe" means any tribe, band, or other group of Indians subject to the jurisdiction of the United States and recognized as possessing powers of self-government;
2. "powers of self-government" means and includes all governmental powers possessed by an Indian tribe, executive, legislative, and judicial, and all offices, bodies, and tribunals by and through which they are executed, including courts of Indian offenses; and means the inherent power of Indian tribes, hereby recognized and affirmed, to exercise criminal jurisdiction over all Indians;
3. "Indian court" means any Indian tribal court or court of Indian offense.

#### **§ 1302. Constitutional rights**

No Indian tribe in exercising powers of self-government shall -

1. make or enforce any law prohibiting the free exercise of religion, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and to petition for a redress of grievances;
2. violate the right of the people to be secure in their persons, houses, papers, and effects against unreasonable search and seizures, nor issue warrants, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized;
3. subject any person for the same offense to be twice put in jeopardy;
4. compel any person in any criminal case to be a witness against himself;
5. take any private property for a public use without just compensation;
6. deny to any person in a criminal proceeding the right to a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and at his own expense to have the assistance of counsel for his defense;
7. require excessive bail, impose excessive fines, inflict cruel and unusual punishments, and in no event impose for conviction of any one offense any penalty or punishment greater than imprisonment for a term of one year and [1] a fine of \$5,000, or both;

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

8. deny to any person within its jurisdiction the equal protection of its laws or deprive any person of liberty or property without due process of law;
9. pass any bill of attainder or ex post facto law; or
10. deny to any person accused of an offense punishable by imprisonment the right, upon request, to a trial by jury of not less than six persons.

**§ 1303. Habeas corpus**

The privilege of the writ of habeas corpus shall be available to any person, in a court of the United States, to test the legality of his detention by order of an Indian tribe.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## SUICIDE PREVENTION INFORMATION (Handbook Appendix C)

### I. High Risk Groups

- A. **New Inmates** - Newly incarcerated inmates are at risk of committing suicide. The first few hours and days after admission/booking can be critical. As such, all inmates coming into the institution through admission/booking are screened by a staff member, and if available a mental health care provider as needed. There are times when a new inmate who has been screened is housed or placed directly in a single cell situation. Such inmates may need closer observation by staff. Some common factors that newly incarcerated inmates experience are: shame, guilt, fear, sadness, anger, agitation, depression, relationship problems, legal concerns, hopelessness, and feeling helpless, to name a few.
- B. **Protective Custody** - Inmates who volunteer to enter protective custody are at high risk for suicide, especially during the first 72 hours after they have been placed in a single cell situation. Inmates who cannot give a plausible reason for entering protective custody may be in search of a private location to commit suicide. An inmate requesting protective custody or demanding to be housed alone should be referred immediately.
- C. **Inmates taking medication for mental health reasons** are of particular concern. Most often these medications which are prescribed to treat depression, psychosis (out of touch with reality), nervousness, etc., cause the inmate to be even more at risk of developing suicidal thoughts, and attempting suicide. Inmates on these types of medication should be monitored carefully to make sure they are not hoarding medication with the intent of overdosing. Any signs of distress, deterioration in hygiene, or sudden changes in behavior should be reported immediately.
- D. **Intoxicated inmates** should also be monitored closely. Recent excessive drinking and/or use of drugs become exacerbated during the first 24 hours of incarceration, when the majority of jail suicides occur, particularly with inmates who have predisposed suicidal thoughts. Inmates attempting suicide are often under the influence of alcohol and/or drugs and when placed in isolation may further lead to suicide attempts. In addition, many jail suicide victims are young and generally have been arrested for non-violent alcohol related incidents.
- E. **Native Americans'** rate of incarceration in both prisons and jails is 15 percent higher than the national rate. The suicide rate of Native Americans is 1.5 times the national rate; among young men it is two to three times higher than the general US rate.

Effective: 01/01/2012 Revised:  
BIA-Adult Detention Facility Guidelines December 2010

**II. Factors that can increase the probability that an inmate may become suicidal are;**

A. (b) (7)(E)

[Redacted text block]

B. (b) (7)(E)

[Redacted text block]

C. (b) (7)(E)

[Redacted text block]

D. (b) (7)(E)

[Redacted text block]

(b) (7)(E)

Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

### III. Behaviors by an inmate housed in a single cell that may indicate an inmate is depressed and possibly thinking of suicide.

(b) (7)(E) [Redacted text block]

### IV. Reporting and Documenting Inmate Behavior

(b) (7)(E) [Redacted text block]

### V. Responding to a Suicide Emergency

(b) (7)(E) [Redacted text block]

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

# Bureau of Indian Affairs Office of Justice Services



(Name of Detention Facility)

Inmate Handbook  
(Date Published)



Effective: 01/01/2012 Revised:  
 Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

## TABLE OF CONTENTS

INTRODUCTION	Page 1
Purpose	Page 1
Mission	Page 1
Inmate Rights	Page 1
Inmate Responsibilities	Page 2
BOOKING & ORIENTATION	Page 3
Booking	Page 3
Orientation	Page 3
CLASSIFICATION	Page 3
Definition	Page 3
Rules for Classification	Page 3
Levels	Page 4
HOUSING UNIT ROUTINE	Page 5
Housing Unit Routine	Page 5
Summary of Housing Unit Routine	Page 5
Housing Unit Rules	Page 5
Cell/Dorm Conditions	Page 6
Cell/Dorm Cleaning Procedures	Page 6
INMATE CLOTHING/PROPERTY	Page 6
Issued Items	Page 6
Personal Property	Page 6
Television	Page 6
Proper Dress	Page 7
Telephone Use	Page 7
Mail	Page 8
Visits	Page 9
Request Forms	Page 12
Meals	Page 12
Special Diets	Page 12
Mealtime Rules	Page 12
Laundry	Page 12
Laundry Exchange	Page 13
Reading Materials	Page 13
Recreation Program	Page 13
Religious, Spiritual and Ceremonial Practices	Page 13
Legal	Page 14
Health Care Coverage	Page 14
Sick Call	Page 14

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

Emergencies	Page 14
Medication	Page 15
Hospitalization	Page 15
Contagious Diseases	Page 15
Personal Hygiene	Page 15
Tobacco Policy	Page 15
Mental Health	Page 15
Dental	Page 15
HIV and AIDS	Page 16
<b>CONDUCT AND DISCIPLINE</b>	<b>Page 17</b>
Disciplinary Code	Page 17
Reason for the Code	Page 17
Minor Violations	Page 17
Major Violations	Page 19
Disciplinary Sanctions	Page 23
Major Violation Alternative Sanctions	Page 23
Minor Violations Alternative Sanctions	Page 24
Criminal Prosecution	Page 24
Informal Procedure for Minor Violations	Page 25
Investigation	Page 25
Disciplinary Hearing	Page 25
Appeal of Disciplinary Decisions	Page 26
Grievance Policy	Page 26
<b>SAFETY AND SECURITY</b>	<b>Page 27</b>
Personal Safety	Page 27
Inmate Counts	Page 27
Shakedowns and Inspections	Page 27
Pat Search	Page 27
Facility Searches	Page 27
Internal Movement	Page 28
Contraband	Page 28
Counseling	Page 29
Substance Abuse Program	Page 29
Education Programs and Activities	Page 29
<b>WORK ASSIGNMENTS</b>	<b>Page 29</b>
Inmate Workers	Page 29
Release	Page 30
<b>INDEX</b>	<b>Page 31</b>

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

## INTRODUCTION

### Purpose

The (*Name of Detention Facility*) is charged by law to be responsible for the safekeeping, care and custody of all inmates held in the facility. Our commitment extends beyond safekeeping and custody to providing opportunities for change. This Inmate Handbook explains what happens in this facility. It tells what is expected of you, what services and programs are provided here and what the daily routine in the facility is.

While you are in the (*Name of Facility*), your behavior and conduct will determine what happens to you, where you are housed, and what privileges you receive. So read this Inmate Handbook and the rules thoroughly. You are expected to obey these rules and regulations. If you do not understand what is described here, ask the staff for help. Changes in policy will be posted on bulletin boards and designated areas in the facility.

We want an environment of harmony and cooperation. These things do not happen by themselves. Each staff person and each inmate must try to create this kind of facility. It begins with understanding this Inmate Handbook and agreeing to live by it.

### Mission

The Facility SCS/SCO of (*Name of Facility*) and its' staff are dedicated to improving the quality of life for Native American Peoples. The facility and its' staff provide a safe and structured environment. This environment will be conducive for an individual's cognitive awareness and growth that the choices an individual make affects their life, as well as the lives of family members and the community as a whole. The facility and its' staff will encourage positive change and the realization that individuals possess valuable resources that must be developed and utilized in the community. Service to the community and its' members is essential to providing a nurturing environment for future generations of Native Americans.

### Inmate Rights

As an inmate, your rights are guaranteed by the Constitution of the United States, the Indian Civil Rights Act, and the Tribal Code. As an inmate, you have the right:

1. To be free from discrimination based on race, religion, tribal affiliation, sex, handicap, political beliefs, or favoritism and nepotism.
2. To have equal access to programs and work assignments.
3. To be protected from personal abuse, corporal punishment, personal injury, disease, property damage and harassment, including sexual harassment by either staff or inmates.
4. To due process in disciplinary procedures.
5. To be advised of grievance procedures.

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

- 6 To be free from reprisals or penalties as a result of questioning or appealing decisions.
7. To be treated with respect, dignity, and fairness.
8. To a clean and healthy environment.
9. To adequate toilet, bathing and laundry facilities.
10. To adequate lighting, heating and ventilation.
11. To reasonable access to courts, legal counsel, and governmental authorities.
12. To reasonable medical, mental health, dental and substance abuse treatment and services, including the use of traditional practitioners.
13. To a wholesome, properly prepared, nutritionally adequate diet.
14. To clean and seasonable clothing.
15. To have access to recreational opportunities and equipment.
16. To carry out religious, spiritual, or ceremonial practices, subject only to the facility's need for institutional security and order.
17. To send and receive mail.
18. To visitation with family members in an area designated by the facility, limited only by facility needs to maintain institutional order and security.
19. To wear your hair as you prefer, subject only to health and safety limitations.
- 20 To be informed of all rules.

### Inmate Responsibilities

The Facility Staff is committed to protecting your rights and treating you with dignity. Along with rights, you have certain responsibilities. As an inmate you must:

Treat all staff, other inmates, visitors, and yourself with respect, dignity, courtesy, and fairness.

Inmate responsibilities include:

1. Follow the rules and regulations of the Detention Facility.
2. Cooperate fully to maintain both a clean, healthy environment, and a clean, neat personal appearance.
3. Respect the Facilities property and the personal property of others.
4. Not use loud, abusive, profane, or insulting language or gestures.
5. Respect the privacy, beliefs, and feelings of others.
6. Let staff know if you have questions or need help.
7. Do not gossip or judge others.
8. For your own growth, participate in programs and activities.
9. Maintain an environment that is cooperative.

There are three principles that guide this Facility's operation:

1. The staff expects you to follow the rules in this Inmate Handbook and to obey their directions.
2. The management expects staff to be consistent in how they apply the rules.
3. There are consequences if you disobey the rules.

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

Our goal is to be consistent, just, and fair in our dealings with you. Your life in this facility is a series of choices. You can choose to create a life style of balance, respect, and accomplishment. We encourage you to choose a positive path. You can begin by respecting yourself and the others around you. You can choose to use this time to reflect on the path you have chosen and participate in all activities with the goal of personal growth and development.

## **BOOKING & ORIENTATION**

### Booking

Booking is the process of being admitted to the Detention Facility. When you first arrive, Detention Facility Staff gather information about you, verify your legal status, take a photograph and fingerprints (optional), conduct personal and strip searches for contraband, and remove personal property not allowed in the Detention Facility. Your clothing and valuables are placed in storage. Your personal property and clothing is returned when you are released from custody. Institutional uniforms, linen and hygiene items are issued to you. During booking, staff collects information about your current charges, outstanding warrants, and court dates. You will be allowed to use a telephone during booking if you are sober and non-combative. Staff is available if you need help placing a call to a family member, or a legal representative. You must inform staff of any medical problems that exist. Emergencies will be treated immediately.

### Orientation

During booking, staff will give you a copy of the Inmate Handbook and will review it with you to make sure that you understand it. If you have questions about something, this is a good time to ask. After booking, staff will give you a housing assignment and escort you to the area in which you will be housed. Soon after you are placed in the Housing Unit, a Housing Officer will meet with you to review the Inmate Handbook in more detail.

Following the orientation period, you are classified and assigned to a permanent housing assignment or cell. There is a lot to learn. Ask questions.

## **CLASSIFICATION**

### Definition

Classification is a process of evaluating, separating and housing inmates in terms of security level, behavior, work assignments, and program participation. Classification begins when you enter the facility. Your classification is based primarily on your behavior.

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

### Rules for Classification

You are classified with the same rules regardless of your sex, race, color, tribal affiliation, creed, or national origin. Classification evaluates you based on:

1. Behavior (positive conduct or disciplinary violations – current and past behavior will be considered.
2. Attitude and motivation.
3. Program progress or special needs.
4. Whether you pose a security risk, including detainee's and warrants.
5. Sentence limits set by the court.
6. Programs and work interests.
7. Available facility resources.
8. Detainers

### Levels

There are four basic levels in the classification system:

1. Special Management Inmates - Inmates who are separated from the rest of the inmate population because of special needs, security issues, and/or inappropriate behavior.
2. General Population Inmates - Inmates who may participate in all activities.
3. Inmate Workers - Inmates who work at various jobs inside or outside of the facility, and
4. Treatment Facility – Community service, education or work release workers, who can go outside the facility secure perimeter.

A Classification Officer together with other Detention Facility staff makes classification decisions. You may appeal your classification decision by using the Inmate Grievance Process. See "Inmate Grievance".

### Protective Custody

Inmates in need of separation from other inmates because of occupation, association with law enforcement, or for real or imagined fears other inmates may be placed in protective custody. If you think you are in need of "protective custody," you may ask to be housed separately by filling out an Inmate Request Form and giving it to a Detention Officer. Staff will decide if you should be placed in protective custody. The Special Management Housing Unit is utilized for this purpose.

### Transfer to Higher Security

You are considered for a transfer to a higher security level for the following reasons:

1. Disciplinary offenses (excessive minor or major violations)
2. Security issues
3. Failure to meet conditions of current placement
4. You are an inmate in need of separation from other inmates

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

A due process hearing that is conducted by Detention Facility staff will be held within three working days after you transfer to higher custody level. You can be transferred to higher custody before your reclassification hearing if approved by the Supervisory Detention Officer or On Duty Supervisor. For more information about disciplinary procedures, see "Conduct and Discipline."

The Special Management Unit or Male or Female Housing may be used for Treatment of Facility inmates.

## HOUSING UNIT ROUTINE

### Housing Unit Routine

#### Summary of Housing Unit Routine

There are two types of Housing Units – Cells or Dorms.

The Housing Unit cells consist of cells, a Dayroom, a Sub-dayroom, Janitor Closet, and a shower area. Cell doors are unlocked per the schedule. You may use the Dayroom at any time during the day, except during counts when you must return to your cell, during housekeeping, or when you are scheduled to be in programs.

The Housing Unit Dorms have a Dorm Sleeping Area consisting of bunk beds and storage units. The Housing Unit Dorm also has a Dayroom, Janitor Closet and restroom which consist of sink, toilet, and shower. The Dorms are used for Inmate Workers and for those assigned to the Treatment Facility. Inmates on these units must change clothes in the restroom.

### Cell/Dorm Cleaning Procedures

1. No inmate is allowed to enter another inmate's cell or be on another inmate's bed.
2. Your cell door must be locked at all times.
3. The dayroom is a common area, shared by all inmates in the unit. NO loud noises, shouting, horseplay or littering is allowed.
4. You must be fully clothed when outside your cell. This means your uniform shirt, T-shirt, pants, socks and either your shoes or sandals. All inmates must be clothed when going to walking to the shower.
5. No personal items or pictures may be attached to the facility walls, furniture, or doors.
6. Your bed must be made when not in use.
7. Hang wet towels on hooks provided to dry.
8. You must sweep and mop your cell floor daily.
9. You must wipe down stainless steel fixtures daily.
10. Keep your shoes in an orderly fashion underneath your bunk when not in use.
11. The Housing unit Officer will review the condition of your cell daily. You are held accountable for all new marks or damage done to your cell. The cost of any repairs will be made through CFR Courts.

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

12. You will sit in a normal position in chairs. You will not place your feet on other furniture or property in the building.
13. You will not lean or push on the rail banisters.
14. You will not throw items either up or down from the stairs.

### Television

You are given the privilege of watching TV as a result of your positive behavior. The Housing Officer is in control of the TV. He/she turns it on/off and selects the volume and channel. This privilege can be suspended and or taken away by the Housing Officer for negative behavior or for violation of the TV rules at anytime. Special Management inmates will not be permitted to watch television under any circumstances.

### Housekeeping/Inspection

All Housing cells and common areas are cleaned and inspected daily during the day and evening shift to ensure that a high standard of cleanliness and order is maintained. Housing Officers make a daily inspection of rooms and common areas. On Friday day shift, the Inspection Team conducts a formal inspection of the facility and documents the inspection on the inspection forms.

### Cell/Dorm Conditions

You are responsible for maintaining an orderly and clean cell. A Housing Officer will explain how the room is to be maintained.

### Cell/Dorm Cleaning Procedures

In the morning, you are expected to pick up your area and to:

1. Make your bed.
2. Store all of your belongings on the shelf or in desk.
3. Clean your sink and toilet.
4. You must sweep and mop your cell floor daily.

The Housing Unit is cleaned following the posted schedule.

## **INMATE CLOTHING/PROPERTY**

### Issued Items

At the time you are admitted into the Detention Facility, or shortly after that, staff will issue you one towel, one washcloth, two sheets, one pillowcase, a pillow, one blanket, two pairs of pants, two shirts, two t-shirts, two pairs of underwear, two pairs of socks, one pair of shoes, one pair of sandals, and one personal hygiene kit containing toothpaste, deodorant, comb or brush. Any alternation of this property or use for which it was not intended will result in rule violation.



Effective: 01/01/2012 Revised:  
 Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

Personal Property

Your personal clothing and property is collected upon entry. They are placed in storage by staff. At your release, the Housing Officer inventories your property with you, obtains your signature, and returns it to you.

Acceptable Personal Property

You are allowed up to five photo prints of any size up to 4" x 6". The photos cannot be revealing, obscene or have gang symbols, and cannot be Polaroid or instant film photos. The pictures will be subject to the approval of the Housing Unit Officer. You are also allowed to keep one cubic foot of paper items such as legal materials and/or books.

Proper Dress

A neat appearance as regards to grooming and clothing will be expected. Clothes will be neat and clean. Pants will fit properly about the waist. You are to be fully dressed when outside of your cell, which includes sandals or shoes. Hair will be neatly combed.

**COMMUNICATION**

Telephone Use

Routine Telephone Calls

There are telephones in the housing units, which are collect calls. You need to set up an account with your family before use. Here is the information below.

*(Facility Call Rates)*

	Surcharge	1 <sup>st</sup> Minute	Any Add. Min.	20 min. call total
Local	\$ xxx	\$ xxx	\$ xxx	\$ xxx
Intrastate	\$ xxx	\$ xxx	\$ xxx	\$ xxx
Interstate	\$ xxx	\$ xxx	\$ xxx	\$ xxx
Interstate	\$ xxx	\$ xxx	\$ xxx	\$ xxx

Inmate's friend and family members can call (*Place information here*) to receive rate information, verify line status, remove blocks, and establish debt accounts, pre-paid accounts and more.

Emergency Calls

Inmates may not receive telephone calls. However, in the event of an emergency, Staff may make an exception if they agree that the message is urgent. Staff will take a message and have you return the call as quickly as possible or make arrangements for you to come to a telephone.

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

### Special Calls

If an inmate needs to use the telephone to contact someone outside of normally scheduled hours, he completes an Inmate Request Form. Staff will review the Inmate Request Form and verify the time of the call and if this is, in fact, the only time when contact can occur. The Housing Officer will monitor the phone call for appropriate behavior.

### Mail

#### Outgoing Mail

There is no limit to the amount of mail you may send as long as you can pay for the postage. Outgoing mail is subject to inspection at the discretion of the On Duty Supervisor to maintain order in the facility. You must put on each piece of outgoing mail only the correct and complete return address information. Your outgoing mail cannot display graphics, artwork, etc., and no graphics or artwork can appear through the envelope. You should give your unsealed outgoing mail to your Housing Officer. The correct and complete return address is as follows:

*(Place complete return address of Detention Facility here)*

For indigents, stamps may be provided for legal mail. Check with a Housing Officer if you have more questions.

#### Incoming Mail

Only properly addressed mail is received and delivered to inmates. Make sure your family and friends use the following official address on letters to you and it is your responsibility to make sure they know that there may be no graphics or artwork on the envelope or showing through the envelope:

Inmate Name  
*(Place full Name of Facility Here)*  
Detention Facility  
*(Place full address here)*

All incoming mail is inspected for contraband. Mail may be read, particularly when there is probable cause to believe that you are using the mail for criminal activities or something that is a threat to institutional security or order. Your legal mail is opened by an officer in your presence. Mail is delivered to each Housing Unit or cell every day there is U.S. Mail service. Check with your Housing Officer for details. Upon release, all incoming mail will be given to you. When you are released, we will need an address so that we can forward any first class mail to you.

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

### Rules for Mail

1. If you don't have money to pay for stamped envelopes, the facility will provide postage for two letters for personal correspondence and/or legal mail each week. Abuse of this will result in disciplinary action.
2. Letters which contain illegal material will not be accepted.
3. All incoming mail will be inspected for contraband.
4. Magazines, periodicals, books and newspapers must be processed through the mail direct from the publisher.
5. You may not mail to other inmates in the Detention Facility.
6. You may correspond with an immediate family member in another institution only after both facility administrators approve the request.

### Visits

You are allowed and encouraged to maintain positive ties with the community through visits. You may visit with immediate family (parents, guardians, grandparents, siblings, and children). All inmates, except those who have lost their visiting privileges through the Discipline Process, are entitled to have visitors.

Visits last for thirty minutes and are organized according to the Daily Schedule, which lists the times and day's visits are allowed. Visit times are based on your housing assignments. Only two people are allowed to visit an inmate at one time, not including children. The maximum number of children allowed is two. People under the age of 18 are not allowed to visit unless they are your legal spouse or your child (children), accompanied by an adult. Visiting hours are posted in your Housing Unit.

If a contact visit is allowed, a strip search of the inmate will be conducted at the conclusion of the visit.

Your personal visits are monitored throughout the visit by the Visitation Officer and Control/Dispatch Officer. If your visitor behaves inappropriately, he/she will be directed to leave the Visitation Room. If you violate any rules, an Incident Report will be completed and you will be subject to the appropriate disciplinary action.

The following rules apply to visitors and inmates:

1. Dress is appropriate at all times.  
The following is considered inappropriate:
  - muscle shirts,
  - halter tops,
  - midriffs,
  - dresses or shorts extending higher than four (4) inches above knee
  - t-shirts or other clothing items bearing offensive or profane logos or messages, and
  - clothing items that advocate alcohol, drugs, violence or anti-government sentiment
2. The glass may not be hit with any object.
3. There can be no statements or gestures posing a threat to any person or security.
4. You may not be disrespectful, disorderly or unruly.
5. You may only visit with the person that came to visit you.
6. You must sit in the stool provided and remain seated throughout the visiting period.

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

**Below are the Visitation schedule and times permitted.**

**(Name of Facility)  
Adult Detention Visitation Schedule**

*(Each Facility will establish specific visitation times and dates)*

**Adult Female Housing Unit:**

Sunday 0135 pm – 0205 pm  
Tuesday 0210 pm – 0240 pm  
Thursday 0100 pm – 0130 pm

**Adult Female Special Management Unit:**

Tuesday 0100 pm – 0130 pm

**Adult Male Housing Unit:**

Sunday 0100 pm – 0130 pm  
Tuesday 0135 pm – 0205 pm  
Thursday 0210 pm – 0240 pm

**Adult Male Special Management:**

Thursday 0135 pm – 0205 pm

**Adult Male Inmate Workers (Trustee's)**

Sunday 0715 pm – 0745 pm  
Tuesday 0715 pm – 0745 pm  
Thursday 0715 pm – 0745 pm

Visitors must arrive 15 minutes prior to visitation schedule.

Visitors need to present a valid identification to the dispatcher of visitation.

**Visitor Information**

1. Arrive 15 minutes before your visit starts.
2. Tell the Control/Dispatch Officer whom you wish to visit.
3. Present your identification to the Control/Dispatch Officer. Acceptable forms of identification are: Driver's License, Tribal Picture I.D. or state I.D. or passport with date of birth included (state approved)
4. Birth Certificate
5. Passport
6. People under the age of 18 are not allowed to visit unless they are the legal spouse of the inmate, the child or children of the inmate, accompanied by an adult.
7. Check your personal property in a locker.

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

8. Nothing may be given to an inmate during a visit. Leave your personal belongings in your vehicle or check your personal property in a locker. You are not allowed to bring any items in.
9. Sign in on the Visitor Log.
10. Be seated in the Lobby until the staff calls for you.
11. Do not leave small children unattended in the Lobby or vehicles. You are responsible for your children during the time you are at the Detention Facility.
12. Do not smoke, eat, or drink during a visit.
13. Visits may be denied or suspended for the following reasons:
  - The visitor is obviously under the influence of drugs or alcohol,
  - The visitor fails to consent to a personal search,
  - The visitor attempts to give contraband or any other item to an inmate,
  - The visitor is implicated in an escape plot,
  - The visitor makes statements or gestures indicating the he may present a threat to any person or to institutional security,
  - The visitor becomes disruptive, disorderly or unruly during a visit, and
  - There is an emergency situation in the Detention Facility.

Visitor information is available for visitors in the form of the Visitor Information Sheet, which are stored in the Public Lobby. You should make sure your visitors are familiar with the Visitor Information.

It is your responsibility to coordinate with family and friends to best use your visiting time.

### Special Visits

If your visitor is unable to visit at your scheduled time or you have a need for additional visits, you may use an Inmate Request Form to request a special visit.

### Inmate Request Forms

You will need to use an Inmate Request Forms to make sure that you receive an answer to your requests for information or services, such as a request to see a staff member, etc. Inmate Request Forms can be requested from a Housing Officer. You should fill out the form and give it to the Housing Officer. If you need help to complete the form, ask a Housing Officer or another inmate to help you. You will get a written response to your request on a copy of the Inmate Request Form.

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

## GENERAL SERVICES

### Meals

Meals are planned to provide balanced nutrition.

Meals for most inmates are served in the Dayroom of the Housing Unit. However, meals may be delivered to your cell for disciplinary or medical reasons.

Prior to meal time, there is a lockdown to allow for meal delivery.

You may remain in your cell during this period, if you choose not to eat.

### Special Diets

You may be given a special diet for health or religious reasons. These must be approved by a physician or the Food Service Supervisor. To request this, use an Inmate Request Form.

### Mealtime Rules

1. You may not take food or drinks from the Dayroom or Sub-dayroom.
2. You may not take utensils, paper products, trays, etc. from the Dayroom.
3. As in any common area, no loud noises or yelling are allowed.
4. After finishing your meal, you are expected to return your tray, beverage container and utensils to the Housing Officer when asked to do so.
5. You may eat only the food that you are served. Food you do not eat will remain on your tray and cannot be shared. Passing food to other inmates is not allowed.
6. No food or beverage items, to include condiments and utensils will be permitted in your cell or dorm.

### Laundry

Clothing will be laundered 3 times a week. Towels and wash clothes will be laundered twice a week. Linens will be laundered weekly. One of the days will be only underclothing such as T-shirts, underwear and socks.

### Laundry Exchange

At laundry exchange, you will show the Housing Officer the item you are turning in, place it in the laundry basket, and the Housing Officer will replace the item. Items turned in that are damaged will be replaced only after the Housing Officer initiates disciplinary action.

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

### Reading Materials

You may have facility reading materials for your entertainment and continued learning. You are expected to respect books as facility property and keep them in good condition. You may visit the Library by completing an Inmate Request Form. You may possess up to 2 magazines, 2 books, and in addition you are able to maintain a Bible or religious book.

### Recreation Program

You are strongly encouraged to participate in regular physical activity as a way of managing stress and establishing or maintaining a healthy lifestyle. Your Housing Unit is scheduled for one hour of active exercise every day. You are encouraged to use individual or free time to recreate.

### Rules for the Exercise Area

1. You may wear a T- shirt during recreation. Inmates must be in full uniform moving to and from exercise.
2. Staff maintains a log containing names of those inmates who have medically restricted use of recreation.
3. Do not hang on nets or basketball rims/goals.
4. Do not hang your coverall top on the audible alarm case.
5. Use equipment only in the way it was designed to be used.
6. All inmates will go to recreation during the scheduled time or you will be locked down.
7. You must remain in recreation during the entire hour. Use the restroom prior to going to recreation, since none are available in recreation area.
8. Practice good sportsmanship.

### Religious, Spiritual and Ceremonial Practices

Religious and spiritual life is a very active aspect of our program. We respect all beliefs and will work with you to provide for your spiritual needs while you are in detention. Participation in religious, spiritual or ceremonial activities is voluntary. Our basic direction comes from the Religious Freedom Act. However, practices which threaten institutional safety and order may be prohibited. Some traditional ceremonies may be held at the facility; others may require a release. To make a specific request, complete an Inmate Request Form. The Supervisory Detention Officer will assign a staff member to make arrangements to conduct the ceremony at the facility or as part of a temporary release, if so ordered by the Court.

Religious services are held whenever a Chaplin or volunteer are available or present. Attendance is voluntary. Schedules of services are posted on bulletin boards in the Housing Units.

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

### Legal

You are encouraged to understand your legal rights and to use an attorney, a legal representative to assist you in understanding your rights. You may have legal documents with you in the facility. You may have legal professional visits and make phone calls at any reasonable hour. Speak to a Housing Officer if you need help to access any of these above mentioned resources.

## **HEALTH**

### Health Care

Good health care is important to your entire well-being. Therefore, you are provided with health care services to safeguard your own health as well as to protect other inmates and staff. Health care consists of medical, dental and mental health care.

### Coverage

Medical coverage is available 24 hours per day, seven (7) days a week on an outpatient basis at the IHS Hospital or local hospital. Only emergencies are handled during evening and night shifts. At the time of booking, you participate in a medical screening. Within 7 days, you will receive a health appraisal and in 30 days a complete health examination.

### Sick Call

You can let medical staff or a Housing Officer know you have a health problem on any day of the week by completing an Inmate Request Form for medical service or to see a Traditional Practitioner.

### Emergencies

Detention Facility staff is trained to recognize medical emergencies and to immediately see that you receive appropriate treatment in an emergency. You will be taken to the IHS Hospital or local hospital without delay if the staff determines that you need treatment.

### Medication

Medication administration occurs at scheduled times. This may be done by medical and/or detention staff.

### Hospitalization

When the health care provider decides you need to be hospitalized, the provider will make arrangements for your hospitalization.



Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

### Contagious Diseases

For the health and safety of all inmates and staff, you may be tested for contagious diseases, such as tuberculosis or hepatitis. The status of anyone who develops or has a contagious disease may be affected until medically cleared to be housed with other inmates.

### Personal Hygiene

Each of you is given personal hygiene items after you have booked in. It is your responsibility to maintain a clean and neat appearance. Detention Facility staff monitors this. You have access to showers and are encouraged to shower daily.

Razors and hair clippers are issued every other day. These items are checked out and returned.

Nail clippers and toe nail clippers can be checked out. When returned, you are to clean the item and turn it back in.

### Tobacco Policy

This is a smoke-free facility for the health and well-being of all staff and inmates. All tobacco products are considered contraband. The staff recognizes how hard it may be for you to stop smoking. To assist you, the health care provider may offer support groups, films, and written materials to help you. Ask the Housing Officer if you want this help

### Mental Health

Mental Health Staff services and staff are provided by IHS. Referrals can be made by the staff or you may request an appointment by completing an Inmate Request Form. The counselors are available on a scheduled and emergency basis.

### Dental

Dental hygiene is also considered important here at the facility. Dental services are provided by the IHS Clinic. You can request a dental appointment by using the Inmate Request Form.

### HIV and AIDS

Staff acknowledges the major health crisis in our country caused by this infectious disease. The IHS Clinic can provide:

1. Information on the disease, prevention, testing and community agencies that provide services.
2. Education regarding aspects of the disease, prevention, and safety tips.

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

3. Counseling is available to all of you who consider yourself in potential risk categories, who request information about testing, or who have already been identified as HIV+.

All communication is completely confidential. Again, you receive information about this in orientation and can simply request to see the health care provider by completing an Inmate Request Form.

## CONDUCT AND DISCIPLINE

### Definitions

These are important definitions for you to know before you read further.

**Disciplinary Chair** - Staff appointed by the Supervisory Correctional Officer to chair a disciplinary hearing.

**Disciplinary Detention** - Disciplinary lockdown; either the removal of an Inmate charged with a major (A) or minor (B) rule violation from his housing unit to the Special Management Housing Unit, or a prescribed period of time spent in his cell. During this time, the inmate may only be allowed out of his cell for meals, medical rounds, attorney calls, visits, showers and recreation.

**Disciplinary Hearing** - A hearing conducted by the Disciplinary Chair to hear the facts of an alleged rule violation and make a decision of guilt and impose sanctions following the Disciplinary Hearing Guide.

**Major Rule Violations** - "A" rule violations which may be considered an immediate threat to the security of the facility or its staff, inmates, or visitors, or any act which constitutes a violation of statutory law. The following are considered major rule violations and resulting sanctions.

**Minor Rule Violations** - Rule violations are not considered to present an immediate threat to the security of the facility or its staff, inmates, or visitors. The following are minor rule violations and resulting sanctions.

**Pre-Hearing Detention** - This is a special management classification in which you may be placed pending a disciplinary hearing if the facility administrator or designee believes that you may present a risk to facility security, staff or inmate safety, or institutional order.

**Privileges** - Extra services or benefits given to you as a means to encourage positive behavior and reduce idleness. These include commissary, visits, private (but not legal) phone calls, access to the library (but not access to legal materials), personal visits (but not visits with attorneys), and access to television, radio and special events.

**Sanctions** - The denial of privileges and entitlements.

Effective: 01/01/2012      Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

Disciplinary Code

The following disciplinary code specifies acts prohibited in the facility and the sanctions which can be imposed on you as a consequence of you violating this code.

Reason for the Code

This code is followed to:

1. Ensure the safety of staff and other inmates.
2. Protect your due process rights.
3. Ensure that staff takes disciplinary action when needed to control inmate behavior.
4. Control inmate behavior fairly and consistently.
5. Ensure that staff does not use disciplinary action to retaliate against an inmate, or for personal reasons.
6. Define and grade offenses which limits staff discretion when imposing consequences.
7. Give fair warning to the inmate of what can be expected.
8. Give sanctions in proportion to the seriousness of the offense.

There are two types of rule violations: Major and minor violations.

Minor Violations

These are the less serious offenses, which are violations of facility rules and regulations. They have the potential to be threats to institutional security and order, staff and inmate safety. The sanctions that may be imposed are more limited. Here is a table which explains what they are and identifies possible sanctions.

Code	Definition	Sanction
B-1 Late for Count	Deliberately disrupting the count procedure by arriving to your cell after a reasonable amount of time.	Minimum - verbal reprimand Maximum - 48-hours disciplinary segregation.
B-2 Foul and Abusive Language to Staff	Using obscene, profane, or insulting language or making an obscene gesture with intent to cause annoyance, offense or threat to staff.	Minimum - verbal reprimand Maximum - 7-days disciplinary segregation.
B-3 Malingering	Failing to carry out instructions, orders, or assignments, including work assignments, in a reasonable, expeditious manner.	Minimum - verbal reprimand Maximum - 7-days disciplinary segregation.
B-4 Unauthorized Use of Phones or Mail	Violating the policies and procedures of phone or mail use.	Minimum - verbal reprimand Maximum - 7-days disciplinary segregation or <i>loss of privileges.</i>
B-5 Simple Disruptive Behavior	Engaging in activity that undermines the orderly operations of the facility.	Minimum - verbal reprimand Maximum - 7-days disciplinary segregation.

**BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS INMATE HANDBOOK\***

Effective: 01/01/2012      Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

Code	Definition	Sanction
B-6 Simple Interfering with a Staff Member's Duties	Interfering with or obstructing any officer who is engaged in the performance of his duties.	Minimum - verbal reprimand Maximum - 7-days disciplinary segregation.
B-7 Simple Sexual Misconduct	Practicing sexual behavior that becomes a threat to you, others, or the orderly running of the institution <i>including flashing, innuendo or gestures (no contact)</i> .	Minimum - verbal reprimand Maximum - 48-hours disciplinary segregation.
B-8 Simple Intoxication	Exhibiting behavior which is believed to be caused by an intoxicant.	Minimum - medical referral Maximum - 48-hours disciplinary segregation.
B-9 Simple Threats Against Others	By words or actions, placing others in fear of any type of injury or interference. NOTE: Any threat against facility employees or volunteers is a major violation.	Minimum - verbal reprimand Maximum - 48-hours disciplinary segregation.
B-10 Simple Fighting	Engaging in physical combat or violent behavior toward another person. This violation may be charged for retaliation for an attack.	Minimum - 24-hours Maximum - 7-days disciplinary segregation.
B-11 Simple Disobeying a Direct Order	Failing to comply with an order (written or verbal) from a staff member in a prompt manner.	Minimum - verbal reprimand Maximum - 3-days disciplinary segregation.
B-12 Simple Creating a Distur- bance	Annoying or interfering with others by any act which you are not authorized to do.	Minimum - verbal reprimand Maximum - 3-days disciplinary segregation.
B-13 Simple Bribery	Offering or suggesting remuneration to staff or other inmates in order to receive an uncalled for benefit.	Minimum - verbal reprimand Maximum - 48-hours disciplinary segregation.
B-14 Simple Possession of Contraband	Making, transferring, or having in your possession any unauthorized items or currency.	Minimum - verbal reprimand Maximum - 7-days disciplinary segregation.
B-15 Simple Violations of Inmate Rules	Knowingly failing to abide by any published rules of this institution OR to comply with an instruction of any staff member, i.e., late for count, unauthorized use of phones.	Minimum - verbal reprimand Maximum - 48-hours disciplinary segregation.
B-16 Sanitary Violations	Refusing to maintain housekeeping standards of the facility. Refusing to shower regularly, or committing other acts hazardous to the health of self or others.	Minimum - verbal reprimand Maximum - 3-days disciplinary segregation.
B-17 Medication Violation	Abusing prescribed medication use by concealing it, or <i>excessively accumulating it</i> .	Minimum - 48-hours Maximum - 3-days disciplinary segregation.

**BIA-OFFICE OF JUSTICE SERVICES  
\*CORRECTIONS INMATE HANDBOOK\***

Effective: 01/01/2012      Revised:  
 Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

Code	Definition	Sanction
B-18 Gambling	Engaging in organized wagers or games for personal gain, money, or anything of value.	Minimum - verbal reprimand Maximum - <i>loss of privileges.</i>
B-19 Loitering	Being in an area without permission or remaining in an area beyond the length of time necessary to complete the authorized activity	Minimum - verbal reprimand Maximum - loss of privilege.

Attempting, conspiring, encouraging, planning, or being an accessory to any minor violation is punishable in the same degree as the substantive offense involved. Disciplinary charges are filed under the same code as the actual violation, with "attempted" noted on the Disciplinary Report.

Up to half of all earned credit may be lost as a sanction for the entire minor rule violations.

Major Violations

These are the most serious offenses which may be considered an immediate threat to the security and safety of the facility or its staff, inmates, or visitors; or any act which violates statutory law. Following is a table which explains what they are and identifies possible sanctions.

Code	Definition	Sanction
A-1 Arson	Starting a fire or causing an explosion.	Minimum - 7 days disciplinary detention Maximum - 30 days disciplinary detention plus prosecution. The discipline panel may also refer the inmate to classification for special management status consideration.
A-2 Aggravated Assault	Physically attacking another or taking an action to propel a dangerous instrument or offensive or dangerous substance at another person.	Minimum - 7 days disciplinary detention Maximum - 30 days disciplinary detention plus prosecution.
A-3 Destroying Facility Property	Purposely damaging, tampering with, altering, or mutilating an article of facility property or facility issue.	Minimum - Reimbursement Maximum - 30 days disciplinary detention plus reimbursement <i>and prosecution.</i>
A-4 Possession of Drugs	Having in your possession any drug or paraphernalia that was not officially prescribed and issued to you by the institutional staff. Possession of unauthorized quantities of prescribed drugs will be considered a violation of this rule. Possession is defined as in one's control, i.e., on your person, in your cell, or with your property.	Minimum - 48 hours disciplinary detention Maximum - 30 days disciplinary detention plus prosecution. In addition, the Disciplinary Chair will be required to impose as further sanctions the following: 1. Elimination of visiting privileges for the duration of sentence or awaiting trial period OR for a period of six (6) months, whichever is shorter. 2. An automatic referral to the Classification Officer as a Special Management Inmate.

**BIA-OFFICE OF JUSTICE SERVICES**  
**\*CORRECTIONS INMATE HANDBOOK\***

Effective: 01/01/2012      Revised:  
 Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

Code	Definition	Sanction
A-5 Possession of Intoxicating Substances	Having in your possession any behavior modifying substance or paraphernalia, i.e., liquor, alcohol, glue, etc. Possession is defined above.	Minimum - 48 hours disciplinary detention Maximum - 10 days disciplinary detention plus prosecution.
A-6 Walk away	Leaving the institution without authorization, exceeding assigned limits of temporary release without permission, leaving custody, or failing to return at the prescribed time while on temporary release from the institution.	Minimum - 3 days disciplinary detention Maximum - 10 days disciplinary detention plus prosecution.
A-7 Violation of Temporary Release Rules	Breaking any of the agreed upon and signed rules and regulations of temporary Release.	Minimum - 48 hours disciplinary detention Maximum - 10 days disciplinary detention and loss of temporary release privileges.
A-8 Possession of Dangerous Contraband	Making, transferring, having in your possession, or bringing into or causing to be brought into the institution any unauthorized item or substance such as the following: 1. A deadly or dangerous instrument. 2. Any instrument or device for use in making, attempting, or aiding an escape.	Minimum - 3 days disciplinary detention Maximum - 30 days disciplinary detention plus prosecution
A-9 Riot	1. With two or more inmates, intentionally or recklessly causing or creating a grave risk or alarm. 2. Assembling with two or more inmates for the purpose of engaging in conduct constituting the offense of riot. 3. Advocating, urging, or organizing two or more inmates to engage in tumultuous and violent conduct of a kind likely to cause alarm. 4. Inciting, instigating, organizing, conniving at, causing, aiding, abetting, assisting, or taking part in any disorder, disturbance, strike, demonstration, riot, or other organized disobedience to the rules and regulations of the institution.	Minimum - 3 days disciplinary detention Maximum - 30 days disciplinary detention plus prosecution plus 100% loss of good time
A-10 Stealing	Taking, obtaining, or withholding property of another without the owner's consent.	Minimum - 48 hours disciplinary detention Maximum - 10 days disciplinary detention plus prosecution plus reimbursement.
A-11 Tampering with Locks and Safety Devices	Damaging, tampering with, manipulating, or altering institutional locking or safety device.	Minimum - 48 hours disciplinary detention Maximum - 10 days disciplinary detention plus repair costs <i>and</i> prosecution.
A-12 Multiple and Persistent Minor Violations	When an inmate commits multiple or persistent minor violations or commits a minor violation in conjunction with a major violation, the act(s) will be considered a major violation.	Minimum - 48 hours disciplinary detention Maximum - 10 days disciplinary detention

**BIA-OFFICE OF JUSTICE SERVICES**  
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Effective: 01/01/2012      Revised:  
 Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

Code	Definition	Sanction
A-13 Violation of Institutional Policies and Procedures	Behavior that interferes with or violates major institutional policies or procedures not specifically listed herein. Any misconduct while serving any sanction will be considered an A-13 violation.	Minimum - 48 hours disciplinary detention Maximum - 7 days disciplinary detention
A-14 Aggravated Possession of Contraband	Making, transferring, having in your possession, or bringing into or causing to be brought into the institution any unauthorized item or substance, including currency, which may prove to be a threat to the orderly operation of the institution.	Minimum - 48 hours disciplinary detention Maximum - 30 days disciplinary detention
A-15 Aggravated Bribery	Offering, conferring, or agreeing to confer on any person, any benefit in return for the recipients decision, opinion, recommendation, vote or action.	Minimum - 48 hours disciplinary detention Maximum - 10 days disciplinary detention
A-16 Aggravated Creating a Disturbance	Creating a hazardous condition by any act which you are not authorized to do or annoying or interfering with others by disorderly conduct in an area where a large number of inmates are present.	Minimum - 3 days disciplinary detention Maximum - 10 days disciplinary detention
A-17 Aggravated Disobeying a Direct Order	Disobeying a direct order when the order is given to control or to avert a dangerous situation.	Minimum - 3 days disciplinary detention Maximum - 10 days disciplinary detention
A-18 Aggravated Fighting	Engaging in physical combat or in violent behavior towards another person OR striking another person.	Minimum - 48 hours disciplinary detention Maximum - 10 days disciplinary detention <i>plus prosecution</i>
A-19 Aggravated Intoxication	Being under the influence of alcohol or any intoxicating substance or drug other than those officially prescribed and issued to you by institutional staff.	Minimum - medical referral Maximum - 7 days disciplinary detention <i>plus prosecution</i>
A-20 Threats Against Others	Conveying the intent to commit any crime or inflict present or future harm or injury on another person, his property, or his family. OR Compelling another to engage or not engage in an act by instilling a fear that if the command is not complied with, present or future harm or injury will be inflicted on him, his property, or his family.	Minimum - 48 hours disciplinary detention Maximum - 10 days disciplinary detention <i>plus prosecution</i>
A-21 Aggravated Sexual Contact	Engaging in sexual contact with another person or animal. "Sexual contact" means the touching of the sexual or other intimate parts of another for the purposes of gratifying the sexual desire of either party.	Minimum - 48 hours disciplinary detention Maximum - 14 days disciplinary detention or special management referral.

**BIA-OFFICE OF JUSTICE SERVICES**  
**\*CORRECTIONS INMATE HANDBOOK\***

Effective: 01/01/2012      Revised:  
 Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

Code	Definition	Sanction
A-22 Aggravated Interfering with a Staff Member	Intentionally interfering with or obstructing any staff member who is engaged in the performance of his duties. Giving false or misleading information will be considered interfering.	Minimum - 48 hours disciplinary detention Maximum - 10 days disciplinary detention
A-23 Misconduct During Visits	Refusing to comply with visitation procedures and rules or disrupting the visitation area with your actions.	Minimum - 48 hours disciplinary detention Maximum - 7 days disciplinary detention and loss of visits.
A-24 Aggravated Disruptive Behavior, OR Interfering with Institutional Policies	Behavior that presents a danger to self or others AND which disrupts and/or interferes with the orderly running of the institution, such as self-mutilation.	Minimum - 48 hours disciplinary detention Maximum - 7 days disciplinary detention and special management referral.
A-25 Harassment	Annoying or interfering with staff or other inmates, disrupting the orderly operation of the institution.	Minimum - 3 days disciplinary detention Maximum - 10 days disciplinary detention
A-26 Conspiracy (More than one Involved)	Engaging in conspiracy to commit a violation will be dealt with as if the violation were committed.	See specific code, definition and sanction
A-27 Violation of Tribal, State, or Federal Statute	Committing an act strictly forbidden by law.	Minimum - 3 days disciplinary detention Maximum - 10 days disciplinary detention plus prosecution.
A-28 Extortion	Taking from another individual, property or favors, by means of force or any undue illegal power or ingenuity.	Minimum - 48 hours disciplinary detention Maximum - 10 days disciplinary detention
A-29 Positive Breath or Urinalysis Test Result	The specimen taken through the facility urinalysis testing procedure tests positive.	Minimum - 48 hours disciplinary detention Maximum - 30 days disciplinary detention In addition, the Disciplinary Chair will be required to impose as further sanctions the following: 1. Elimination of visiting privileges for the duration of sentence or awaiting for a trial period OR for a period of six (6) months, whichever is shorter. 2. An automatic referral to be classified as a Special Management Inmate.
A-30 Failure to Submit to Breath or Urinalysis Testing	Failing to submit and/or provide a urine sample within the allotted time period.	Same as A-29
A-31 Running from/resisting apprehension within the facility	Failure to yield, stop and comply with staff verbal or visual command to stop.	Minimum - 3 days disciplinary detention Maximum - 30 days disciplinary detention



Effective: 01/01/2012      Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

Code	Definition	Sanction
A-32 Escape from Confinement	Escaping custody while in the facility or while in restraints	Minimum - 10 days disciplinary detention Maximum - 30 days disciplinary detention plus prosecution. Automatic loss of all earned credit.

Attempting, conspiring, encouraging, planning, or being an accessory to any major violation is punishable in the same degree as if you actually had committed the offense. Disciplinary charges are filed under the same code as the actual violation, with "attempted" noted on the Disciplinary Report.

All earned credit may be lost as a sanction for the entire major rule violations.

### Disciplinary Sanctions

The Supervisory Correctional Officer may weigh the circumstances of a violation and wish to employ one of the following sanctions in lieu of the minimums and maximums listed for each violation.

### Major Violation Alternative Sanctions

1. Reprimand, probation and/or suspended sentence.
2. Loss of privileges, such as visitation, telephone, recreation, or access to other programs.
3. Confinement in cell for 1-10 days for each individual charge.
4. Recommend loss of good time.
5. Recommend reassignment or transfer
6. Change of housing
7. Recommend review of custody and/or job classification
8. Extra work detail.

### Minor Violations Alternative Sanctions

1. Verbal reprimand
2. Written reprimand
3. Loss of privileges
4. Recommend loss of good time
5. Extra work details
6. 23-hour or less in-cell lockdown

### Disciplinary Actions

There are two kinds of responses to a rule violation: Formal (for all major violations and some minor violations) and Informal (minor violations only).

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

### Discovery of a Violation

If staff has reason to believe that you have committed a rule violation, he will take any steps necessary to control the immediate situation. This may include removing inmate(s) from others if he/she believes it necessary. The staff involved will fill out a Disciplinary Report, which contains the following:

1. Date and time of the incident.
2. Inmate(s) involved.
3. A thorough description of the incident and circumstances leading up to it, including
4. Charges, witnesses, and disposition of any Supervisory Correctional Officer.
5. The inmate enters his plea.
6. The staff member's signature.
7. Any immediate action taken.

The staff will then file the reports with the On Duty Supervisor, who forwards them to the Supervisory Correctional Officer. You will receive a copy of the Disciplinary Report. No sanction for the alleged violation is imposed until after a hearing unless you plead guilty, then the sanctions are implemented. However, you may be placed in the Special Management Housing Unit immediately if the On Duty Supervisor determines that your behavior is dangerous to other inmates, the staff, or to yourself.

### Criminal Prosecution

If your misconduct is also the subject of a criminal investigation, staff will wait for the outcome of the criminal investigation before taking disciplinary action.

### Informal Procedure for Minor Violations

If staff discovers you have committed a violation of one of the minor rules, he/she will discuss the situation with you and resolve the situation in an informal manner. Staff gives informal sanctions by informing you of the rule and violated the steps that you can take to correct this behavior, and verbal information that more stringent application of sanctions may result if the rule is violated again. If you are or become angry or hostile, staff may send you to your cell for a cooling off period.

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

### Investigation

The Disciplinary Investigator investigates rule violations no later than on the working day following its occurrence, if a "not guilty" plea was entered requiring a hearing. No later than the working day following its occurrence, a Disciplinary Investigator who was not involved investigates the incident. The Disciplinary Investigator will interview staff and inmates who were involved in the incident to determine if there is adequate reason to believe that you did commit a major violation. If the Disciplinary Investigator finds that you did not commit the violation, the disciplinary proceeding is ended, or if he finds that you committed a minor violation, he notes that on the Disciplinary Report and gives you a copy. The Disciplinary Investigator asks you if you wish to have a hearing. You can waive your right to a hearing or request that a hearing be held. Within two working days, a hearing is scheduled no later than seven days after the alleged violation (excluding weekends and holidays). The Disciplinary Investigator will advise you of your rights for the disciplinary hearing and you will complete and sign a Voluntary Statement Form acknowledging that you understand these rights. If you refuse to sign, the Disciplinary Investigator will so note on the form.

### Disciplinary Hearing

During the hearing, you have the following rights:

1. To be present, unless you give up the right to be present or your behavior justifies your removal.
2. To make statements and present evidence on your behalf.
3. To call witnesses, the number of which is decided by the Disciplinary Chair
4. To designate a willing staff or inmate advocate, other than your attorney or legal representative.
5. To hear the evidence against you, except evidence from a credible informant, which may be heard without you and which may be summarized for you.

If disclosure of the information would pose a risk of serious harm to any person, a summary of informant information is provided only if it is possible to do so without revealing the identity of the informer. If you are excluded, the reason is documented.

You do not have the right:

1. To confront or cross-examine witnesses for or against you.
2. To have an attorney present at Disciplinary Hearings. You may, on your own, contact your attorney or legal representative before or after a hearing for advice.
3. To remain at the hearing if you become disruptive or combative. You will be removed and the hearing will continue without you.

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

At any time during the hearing, the Disciplinary Chair, on his own motion or at your request, may order further investigation into the incident and continue the hearing at a future time. If you are found guilty of the violation, the Disciplinary Chair will give you a copy of the memo which documents the results of the hearing and the sanctions that will be imposed. If you are found not guilty of the violation, all references to the incident are taken from your record. The Supervisory Correctional Officer will review all disciplinary hearings within five working days. The Supervisory Correctional Officer may overturn all or part of the decision if he believes the decision was incorrect. If he overturns all or a portion of the decision, you will be notified in writing.

### Appeal of Disciplinary Decisions

Decisions made as part of disciplinary hearings are subject to an appeal process. You may appeal a decision within five days of the disciplinary hearing by making this request on a blank piece of paper. The Supervisory Correctional Officer will make a decision on your appeal. The Supervisory Correctional Officer will consider the entire proceeding from investigation through the hearing process. He/she may agree with the decision or order a new hearing. You will be notified in writing of the decision within five working days of receiving your request.

### Grievance Policy

If you have a complaint or problem with the operation of this facility or with staff, you have the right to ask that it be considered and resolved. You can informally talk to staff about your grievance and if not resolved, you can file a Grievance form.

You have a right to:

2. File a grievance about any administrative procedure, including your classification.
3. Receive a written response to every submitted grievance, including the reason for the decision, within three days of the Lead Correctional Officer having received the Grievance Form, excluding weekends and holidays.
4. To seek judicial or administrative remedies without fear of reprisal.
5. To have the grievance decision reviewed by the Supervisory Correctional Officer.
6. To appeal the grievance decision to the Supervisory Correctional Officer.
7. To receive a response to the appeal within three days of the Supervisory Correctional Officer receiving the appeal, excluding weekends and holidays.

You may file a grievance by filling out a Grievance Form. You do not have the right to file a grievance about disciplinary actions. We believe that the grievance procedure is an important way to resolve significant differences. It should not be used for petty matters or so often that people begin to think it isn't important.

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

## **SAFETY AND SECURITY**

### Personal Safety

The personal safety of everyone in detention is important to us. The life-safety equipment, like smoke detectors, is in the facility to help us keep a safe environment. Respect that equipment by not tampering with life safety devices and by reporting any broken life safety devices to staff. In an emergency (such as a fire, natural disaster, or power failure), it is very important that you comply quickly and completely with staff instructions. Evacuation routes are posted in your Housing Unit. Many of our security procedures are also for everyone's safety. While you are in the facility, staff will observe you and Housing Unit periodically. The facility is on closed circuit television. You must cooperate with security procedures (such as counts) to help ensure everyone's safety.

### Inmate Counts

Scheduled and unscheduled counts of the inmate population are conducted by staff several times daily to keep track of all inmates. You must return to your assigned cell or dorm bed when a Housing Officer says that it is "Count Time". Talking or distracting a Detention Officer during the count is a rule violation.

### Shakedowns and Inspections

All areas of the facility are inspected and searched on an irregular schedule. You must comply with all staff directions.

### Personal Search

You will be personally searched upon booking, when entering or re-entering, or departing from the facility, including outside recreation and work details and prior to and upon return to your Housing Unit.

### Facility Searches

Periodic and unannounced searches of your Housing Unit and other designated areas of the facility are made to search for unauthorized items and contraband. These searches are conducted in a manner which avoids unnecessary force, embarrassment to you, or damage to your property. These searches are done for your safety, the safety of other inmates and the staff. Interference during a shakedown is a rule violation.

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

### Strip Search

Strip searches may be conducted as a part of:

1. Entering or leaving the secure perimeter and area.
2. Before and after court, medical trips, or visits.
3. After the detection of an alleged disciplinary infraction.
4. If staff has reason to believe a person may have contraband.
5. Escape, attempted escape.
6. Placement in special management.
7. Routine searches of housing sites for contraband.
8. Searches of program and recreational areas if staff has reason to believe that there is contraband in the area.
9. After a contact visit

A strip search is done by an officer of the same sex as the inmate and in an area/room separate from other inmates and staff.

### Internal Movement

Internal movement is going to and from various areas inside the secure perimeter of the facility. You may be subjected to a search at any time before, during, or after this movement. You are expected to proceed promptly to your destination. Loitering or failure to move may be a minor or major rule violation depending upon the situation.

If you are not in a disciplinary lock-down status, you are allowed to move unescorted within designated areas of the facility. If you are in disciplinary lock-down status, you will require escorted movement while outside the facility. During all inmate movement, you will walk down corridors with your left shoulder parallel to, and as close as practical to, the left wall at all times, unless instructed differently by Facility staff.

### Contraband

“Contraband” is any item in your possession (on your person or in your cell or sleeping area) that was not issued to you by the facility, purchased by you through the commissary when in operation, or otherwise received or purchased by you through channels specifically approved by the rules of the facility. Authorized items may be considered contraband when found in excess quantities or when altered from the original condition as issued, received, or purchased. Other than the lending of newspapers and periodicals, you are not allowed to lend or sell or otherwise transfer any items to anyone. All such items are considered contraband. Furthermore, facility equipment and supplies found in your possession in other than the authorized area is considered contraband.

The following items are always considered contraband:

1. Currency (money).
2. Firearms of any type.

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

3. Ammunition or explosives.
4. Knives or unauthorized tools.
5. Intoxicants, such as liquor and alcoholic beverages.
6. Narcotics and drugs (with the exception as authorized by the health care provider).
7. Hazardous and poisonous chemicals.
8. Any facility issued property that is altered, used inappropriately or is kept in excess of the allowable amount.

If contraband is found, items are confiscated and disciplinary procedures are taken against you.

### Counseling

Sometimes we all could use help in understanding what is happening in our lives. Counseling provides an opportunity for you to explore your situation and to make positive changes.

You can learn about counseling program through talking with staff or through an Inmate Request Form. Because we are a small facility, we do not have counselors on staff. Our approach is to help you find a counseling program in the community that provides the kind of services you would like to use. That way, when you leave detention, if you like, you will be able to continue to work with the counselor. If you would like to talk with someone immediately, please ask to speak with the Housing Officer.

### Substance Abuse Program

Drug and alcohol problems are common in society today. They are even more common among people who are in jails or prisons. While our program is not a treatment program, it may offer you a way to begin healing.

You can learn about our substance abuse program through Tribal Behavioral Health, who provides this program for us. You can use an Inmate Request Form to ask to see him. If you would like to see someone on an emergency basis, ask to see a health professional. While you are in the facility, you can request individual and group counseling, as well as AA (Alcoholics Anonymous) and NA (Narcotics Anonymous) meetings.

### Education Programs and Activities

We are never too old to learn. We have many opportunities to learn from our experiences and to learn new things. Our educational program provides opportunities for a variety of types of learning.

Effective: 01/01/2012 Revised:  
Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

## WORK ASSIGNMENTS

### Inmate Workers

When a facility has an inmate work program, inmates may apply to be an Inmate Worker to work in food service, laundry, housekeeping or grounds. You apply initially by completing an Inmate Request Form. After an initial screening, you will need to complete an Inmate Worker Application prior to being interviewed. You will be given a copy of the application to assist you with employment upon release. The Inmate Work Program is designed to help you positively prepare for the world of work.

Each inmate receives a cleaning assignment (chore) by a Housing Officer or the Support Officer. You are given time each day to complete your chore. Chores may include tasks inside or outside the Detention Facility. You are not allowed to attend activities until your assignments are completed to the satisfaction of staff.

### Release

When you are released from custody, a Detention Officer will review with you the condition of your assigned cell and all issued clothing or property. If you have damaged, lost, or any altered property, you are required to make restitution.



Effective: 01/01/2012      Revised:  
 Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

**INDEX**

**Page**

Acceptable Personal Property .....	6
Admission .....	3
Admission & Orientation .....	3
Appeal of Disciplinary Decisions.....	26
Booking .....	3
Cell/Dorm Cleaning Procedures .....	6
Cell/Dorm Conditions.....	6
Classification Definition .....	3
Conduct Guidelines Male/Female.....	16
Contagious Diseases.....	15
Contraband.....	28
Counseling.....	29
Criminal Prosecution .....	24
Dental .....	15
Disciplinary Code.....	16
Disciplinary Hearing.....	25
Disciplinary Sanctions .....	23
Education Programs and Activities .....	29
Emergency Calls .....	7
Grievance Policy.....	26
Health Care .....	14
HIV and AIDS .....	16
Hospitalization .....	15
Housekeeping/Inspection .....	5
Housing Unit Routine.....	5
Housing Unit Rules.....	5
Incoming Mail .....	8
Informal Procedure for Minor Violations .....	25
Inmate Counts .....	27
Inmate Responsibilities.....	2
Inmate Rights .....	1
Inmate Workers .....	29
Introduction.....	1
Investigation .....	25
Issued Items .....	6
Laundry .....	12
Legal .....	14
Levels .....	4
Mail .....	8
Mail Rules.....	8
Major Violation Alternative Sanctions .....	23
Major Violations.....	19
Meals .....	12

Effective: 01/01/2012 Revised:  
 Corrections Form Category \_\_\_\_\_ Form # (C2-21-A) HANDBOOK APPENDIX D

Mealtime Rules.....	12
Medical Coverage.....	14
Medical Emergencies .....	14
Medication .....	15
Mental Health .....	15
Minor Violations.....	17
Minor Violations Alternative Sanctions .....	24
Mission .....	1
Orientation.....	3
Outgoing Mail .....	8
Pat Search.....	27
Personal Hygiene .....	15
Personal Property.....	6
Personal Safety .....	28
Proper Dress .....	7
Protective Custody .....	4
Purpose .....	1
Reading Materials.....	13
Reason for the Disciplinary Code .....	17
Recreation Program .....	13
Release .....	30
Religious, Spiritual and Ceremonial Practices .....	13
Request Forms.....	12
Rules for Classification .....	3
Rules for the Exercise Area.....	13
Rules for Visitors .....	9
Shakedowns and Inspections.....	27
Sick Call .....	14
Special Calls.....	7
Special Diets.....	12
Special Visits .....	9
Strip Search.....	27
Substance Abuse Program.....	29
Telephone Calls.....	7
Television .....	5
Tobacco Policy .....	15
Transfer to Higher Security.....	4
Visitation Rules for Inmates and Visitors .....	9
Visitor during Scheduled Activities with Families .....	9
Visits .....	9
Work Assignments.....	29

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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## SEXUAL ABUSE/ASSAULT CRISIS INTERVENTION PROTOCOL (Handbook Appendix E)

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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

## II. PROCEDURES FOR STAFF INTERVENTION AND INVESTIGATION

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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

(b) (7)(E)





Effective: 01/01/2012      Revised:  
BIA-Adult Detention Facility Guidelines December 2010

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