4. AUTHORIZED ABSENCES. Authorized absences are an integral part of the facility's program. The intent is to reintegrate the offender into community life which includes strengthening of relationships with relatives, friends, and employers. The facility will emphasize increasing levels of individual responsibility. Offenders should be given gradual increased responsibility in the community, based on their ability to accept responsibility.

The offender's absence from the facility is to achieve specific programing objectives to include seeking employment, strengthening family ties, engaging in religious activities, education, recreation, and counseling. The contractor approves these program activities as long as the public interest is served.

If an offender's place of employment is more than 100 miles from the facility or travel time compromises the established curfew, the contractor shall consult with the CCM to make special arrangements for that offender. These request are considered on a case-by-case basis, and the CCM is authorized to modify the requirements to meet specific needs.

NOTE: Unless authorized by the CCM, the contractor shall not permit an offender in the <u>community corrections component</u> to leave the facility except for employment and other approved program activities, i.e., seeking employment, meals served outside of the facility in accordance with the contract/agreement, participating in the facility recreation program, attending religious services.

a. Pass. A pass is used for overnight or weekend absence. Overnight or weekend absences are limited to the local community (up to a 100 mile radius).

The contractor shall make an initial on-site visit to the proposed pass location. For purposes of accountability, the contractor shall make and document random checks to determine compliance with the conditions of the pass. These checks may be made telephonically or in-person unless otherwise specified by the CCM. This should occur at least twice a day. The intent is to set a frequency that provides for appropriate offender accountability. The contractor may request the CCM to approve fewer daily contacts if it is in the best interest of offender accountability and program objectives. The CCM has the authority to increase or decrease the number of required accountability checks.

An overnight or weekend pass may be approved when an offender is successfully programing, i.e., the offender is meeting their program plan goals and has obtained gainful employment. The

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offender's component assignment may preclude the offender from using an overnight or weekend pass. The facility director or assistant shall contact the CCM for direction when a pass approval is questionable.

The offender requests a pass by completing and signing the BOP form entitled PASS REQUEST AND APPROVAL. The facility director or assistant may approve these passes, unless otherwise specified by the CCM. Passes may be recommended only by a paid staff member and not a volunteer. The approval or denial is noted on this form, and it is retained in the offender's file.

The pass shall begin the last day of an offender's scheduled work week and extend for 2 days up to curfew. However, an extended pass may be approved for a long weekend when a legal holiday falls on the preceding Friday or the following Monday. More than one pass during a given week requires CCM approval.

b. Furlough. Only the CCM approves furloughs. The CCM ordinarily may not grant a furlough to an offender who is convicted or has a history of a serious crime against another person, is not successfully programing in the facility and/or whose presence in the community could attract undue public attention, create unusual concern, or depreciate the seriousness of the offense.

Except for home confinement, absences from the facility exceeding two consecutive overnight periods (except holidays) or 100 miles must be authorized by furlough. Offenders in the community corrections component are not ordinarily eligible for furloughs. The contractor shall reserve a bed for an offender on furlough.

The furlough program is intended to help the offender attain correctional goals. A furlough is not a right but a privilege granted to an offender under prescribed conditions. It is not a reward for good behavior, nor is it a means to shorten a criminal sentence.

Furloughs may be recommended to achieve program goals and activities not ordinarily possible by sign-out or pass. The furlough usually ranges from three to five days in length but under special circumstances may be longer. A furlough shall not exceed thirty days.

Examples of activities for which furloughs might be appropriate include visiting a critically ill relative or attending the funeral of a relative, obtaining necessary medical treatment not otherwise available, developing employment or release plans, or other activities thought to be necessary for an offender's successful community adjustment.

a) Application. Before approving the furlough application, staff shall verify that a furlough is indicated. Staff will contact the family member or person being visited and determine if a furlough is indicated. When contacting the family member or person being visited, staff shall ensure the offender is welcome in that home. This communication must be documented and placed in the file.

Prior to the offender's first furlough, a BOP form FURLOUGH QUESTIONNAIRE - SENTENCING DISTRICT questionnaire shall be forwarded to the Chief USPO in the district of sentencing. A BOP form FURLOUGH QUESTIONNAIRE - OUT OF SENTENCING DISTRICT questionnaire shall also be forwarded to the Chief, USPO in the district to be visited but only for the first furlough to that district. When the sentencing district and the receiving district are the same, form QUESTIONNAIRE - SENTENCING DISTRICT shall be used.

NOTE: When an offender sentenced in the District of Columbia (DC) Superior Court desires to visit another judicial district, the contractor shall contact the CCM for direction.

If forms are not returned within two weeks, staff shall contact the appropriate USPO(s) to determine the status of the request. If the form(s) is/are not returned within one week after this contact, staff may proceed to process the application. If repeated furloughs to the same location are anticipated, a blanket USPO clearance may be sufficient, with approval of the USPO.

b) Approval. Furlough approval is made on the BOP form FURLOUGH APPLICATION - APPROVAL AND RECORD. Four copies (original plus three carbon copies) of the furlough approval and record shall be completed and distributed, after the CCM's signature, as indicated on the bottom of the form.

A separate furlough application shall be executed for each furlough occurrence.

The contractor's recommendation with written justification shall be sent to the CCM for approval along with the BOP form FURLOUGH APPLICATION - APPROVAL AND RECORD and appropriate questionnaires.

CCMs will consider approval of furloughs only when they are recommended by the facility director. The offender must sign the form. The recommendation shall include documentation that the USPO does not object to the furlough.

The contractor shall maintain a record of furloughs including the date and time of departure, the date and time of return, and

notes regarding the offender's adjustment during the furlough period.

The per diem rate for offenders on furlough shall be one-half the regular per diem rate.

7. HOME CONFINEMENT. Home confinement is the least restrictive component. The offender is required to remain in the home during specified hours. Home confinement is administered in accordance with the most recent version of the BOP program statement entitled Home Confinement. The contractor shall follow the referral instructions in the Home Confinement program statement. The referral information for offenders being referred from a CCC includes the following:

- Offender name & register number;
- Release date, method;
- Recommended by, CCC address;
- Rationale for recommendation;
- Recommended range of home confinement, or date;
- If parole, list last U.S. Parole Commission action & date;
- Financial obligations;
- List detainers or pending charges;
- Specify release needs;
- Current case note; and
- Appropriate forms, i.e., CONDITIONS OF HOME CONFINEMENT; COMMUNITY BASED PROGRAM AGREEMENT; and HOME CONFINEMENT AND COMMUNITY CONTROL AGREEMENT.

The CCM may require additional documentation from the contractor when making a home confinement determination. Only the CCM may approve home confinement. A contractor shall recommend home confinement when it appears the offender will derive no further significant benefit from facility residency. Before home confinement is considered, the offender must develop an acceptable release plan that has been approved by the supervising USPO. Offenders convicted of crimes of violence or sexual offenses are not ordinarily eligible for home confinement. The contractor shall forward a written recommendation outlining the plan and appropriate BOP forms to the CCM for approval. The contractor shall not place an offender on home confinement until the offender has agreed to the conditions and signed the forms, and approval has been received from the CCM.

Compliance with the conditions of home confinement may be monitored by electronic monitoring equipment approved by the CCM, or by regular telephone or in-person contacts by staff.

8. RESOURCES. The contractor shall develop and utilize a network of community resources and services, including referrals to other federal, state and community agencies, to fulfill each offender's specific program needs. This is especially relevant

when there are mental health concerns. The contractor shall maintain a current list of community resources (name, address and telephone number) and a description of the service each resource will provide.

The contractor shall provide, at a minimum, the following programs: group and individual counseling relative to the search for gainful employment; academic and vocational training opportunities; social services to include the establishment of family and community ties; financial management; consumerism; center and community behavior; substance abuse; post release residence; individual wellness; sexual abuse/assault/misconduct prevention; and community adjustment. The contractor shall also provide programs as indicated by individual needs such as mental health counseling, angry management, and other programs as specified by the CCM.

9. INDIVIDUAL ORIENTATION, PROGRAM PLANNING AND PROGRESS. The contractor shall have written policy and procedures on offender orientation and case management.

The contractor shall provide all programs, services, and opportunities without discrimination based on race, color, religion, sex, national origin, physical or mental disability, age, retaliation, or sexual orientation.

The facility director shall ensure that each offender receives an orientation about the facility rules and accountability requirements (see Escape Procedures). In addition, the orientation program shall provide the offender with an awareness of the following:

- Facility's program opportunities;
- Components and what they mean;
- Facility's disciplinary system;
- Universal precautions;
- Sexual abuse/assault intervention;
- Human Immunodeficiency Virus (HIV) and Hepatitis B & C prevention (e.g., risks regarding sexual behavior and drug abuse); and
- Suicide prevention.

The contractor shall establish an orientation checklist. Staff shall have the offender sign and date this document and shall place the original in the offender's file.

Orientation normally will last for two weeks or until the offender has demonstrated to CCC staff an understanding of the programs.

NOTE: All offenders, unless otherwise indicated by the Courts or CCM, shall initially be placed in the

community corrections component (includes both BOP and USPO cases).

During an offender's first two weeks at the CCC, the contractor shall complete an individualized program plan that addresses all of the offender's needs and includes a time table for achievement of these goals. Ordinarily the offender will only sign-out for employment or verifiable employment interviews while the program plan is being developed. If an offender is gainfully employed, the contractor will make the appropriate on-site checks during this time.

The contractor shall consult with the USPO when developing program plans for USPO cases. The program plan shall be signed by the contractor and offender, and when applicable, the supervising authority.

Institution transfers (BOP cases only) who are subject to the VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT (VCCLEA) notification provision are notified in writing before leaving the BOP institution. The contractor must assume this responsibility for direct court commitments. The following notification statement shall be written or typed in the plan:

Offender is subject to notification under 18 U.S.C. §4042(b), (Yes/No), due to the offenders (indicate whether):

(1) conviction for a drug trafficking crime
(2) current conviction for a crime of violence
(3) past conviction for a crime of violence

The contractor shall indicate "Yes or No," at the direction of the CCM, in each direct court commitment's file.

If an inmate disagrees, i.e., "Yes," they may use the Administrative Remedy procedure to contest the VCCLEA notification requirement.

The offender is to be provided with, and must sign for, a copy of the plan. If the offender refuses, staff witnessing the refusal shall place a signed statement to this effect with the plan. Staff shall sign and place a copy of the plan in the offender's file with a copy to the CCM.

The case manager and offender shall review progress at least every two weeks. This will be documented with case notes. The contractor has some discretion in creating standardized case notes that are unique to the facility. These notes shall at a minimum indicate the required information listed on Attachment C, CASE NOTES. The outcome of each review will be documented in the offender's file. Place the original signature copy in the

offender's file. Case notes shall have substance and should clearly indicate an offender's progress or lack of it. The case notes must be used as the basis for the terminal report.

10. OFFENDER'S FINANCIAL RESPONSIBILITY. The contractor shall provide oversight to the offender's finances. The intent is to help the offender become a manager of money. The contractor shall at least document:

- Wages and salaries,
- Number of hours worked,
- Savings and debts,
- Original plan to manage money and subsequent changes,
- Amount and type of deductions as indicated in the plan, and
- Amount of subsistence collected.

The contractor shall give an offender a receipt for any contractor collected funds. The contractor shall develop and use an offender subsistence agreement form which communicates the offender's obligation and responsibility to pay subsistence and other financial obligations outlined in the SOW.

The BOP encourages each sentenced offender to meet his or her legitimate financial obligations. Each offender will develop a money management strategy that will assist the offender in becoming a law abiding citizen upon release. As part of the initial program plan process, staff will assist the offender in developing a financial plan.

The contractor shall ensure that all sentenced offenders with financial obligations will also develop, with the assistance of staff, a financial plan to meet those obligations. Both the offender and staff will sign the plan acknowledging its existence and the offender's responsibility to follow the plan. Each financial plan will be effectively monitored to ensure satisfactory progress is being made. Offenders who refuse to participate or fail to comply with provisions of their financial plan are subject to disciplinary action. During subsequent case notes, staff shall consider the offender's efforts to fulfill all obligations.

The contractor shall document the financial plan in the offender's file. The plan will at least include the following information regarding obligations, ordinarily to be paid in the priority order as listed:

- Special Assessments imposed under 18 U.S.C. §3013.

- Court-ordered restitution.

- Fines and court costs.

- State or local court obligations, e.g., child support and alimony.

- Other federal government obligations.

- Cost of Incarceration (COIF). The contractor shall contact the CCM for direction on all cases concerning COIF.

The contractor shall post the most recent version of the BOP program statement entitled Cost of Incarceration Fee (COIF) in the CCC for all offenders to read. The contractor shall comply with the requirements of COIF under the direction of the CCM.

- Subsistence. To promote financial responsibility the BOP requires offenders to make weekly subsistence payments to the contractor. The contractor shall collect 25 percent of each employed offender's gross income (calculated for a week) not to exceed the total dollar amount of the contract's daily per-diem rate totaled for one week.

> For example, if an offender's gross pay is $100 for one week, 25 percent would be $25. Which seems to be a collectable subsistence amount. However, the contractor must consider the contract's per-diem rate totaled for the week to determine the dollar amount which can be collected as subsistence. In this example the contract's daily per-diem rate is $3. Multiplying $3 seven times (seven represents 7 days in one week) yields $21 dollars. This is the dollar amount that can be collected as subsistence by the contractor. Even though $25 is 25 percent of the offender's weekly gross pay, only $21 can be collected because of the contract's per-diem rate.

If an offender collects a pay check at other times such as bi-weekly or monthly, the offender must still make weekly subsistence payments to the contractor. The contractor shall document all exchanges of monies between offenders and staff.

The contractor shall always round down all payments to the nearest dollar amount.

Partial weeks of CCC residency are prorated.

> For Example: If an offender earns $8.50 an hour and works a forty-hour work week and earn a weekly gross salary of $340, the offender normally owes 25 percent of $340, or $85 in subsistence for the week. However if the same offender only resides in the CCC for three days, then the offender must pay a portion of the $85. In this case, the contractor divides 7 (representing a 7 day week) into $85. Rounding down, the result is $12

which is the offender's prorated daily amount. Since the contractor will collect for 3 days, the offender owes $36 (3 days X $12 = $36). That is if $36 does not exceed the contract's per-diem rate totaled for one week.

NOTE: Prorated amounts are applied either during the arrival or departure week, no other time. The week begins on Monday. Pass, furlough or home confinement does not release the offender from subsistence responsibilities.

The last week's subsistence may be collected in advance. An offender who fails to pay subsistence payments is subject to disciplinary action, including termination from the program. Unless otherwise indicated by the Court, BOP or USPO, all USPO cases shall pay subsistence.

The contractor is responsible for collecting the full subsistence amount due. Contractors shall reduce the monthly billing to the BOP by the amount collected in subsistence and indicate this on the bill.

The contractor shall provide the offender with receipts for subsistence payments. The receipt shall indicate the amount collected, gross income, and time period covered. The contractor shall provide a collection record with every monthly bill. Copies of all pay stubs and collection receipts shall be kept in the offender's file.

Offenders who have other means of financial support, e.g., Veteran's Administration (VA) benefits, worker's compensation, retirement income, or Social Security shall contribute an amount determined by the contractor and approved by the CCM. The amount should be approximately 25 percent of their determined weekly income.

In cases of extreme hardship, the contractor may request the CCM to waive or modify subsistence payments. This is on a case-by-case basis and will only be considered when the contractor supports a waiver. The contractor will consider the offender's debts, assets, employment status and spending history before submitting a written request to the CCM. The contractor must consider that subsistence is analogous to rent or a mortgage payment. The contractor shall consider that an ability to maintain residency is a fundamental social skill essential to the offender's future success in the community. The contractor shall also consider that the offender's future success in the community is a basic program objective of CCC residency. Offenders are expected and should be able to meet this basic financial obligation while participating in the CCC program.

NOTE: The CCM is authorized to modify the subsistence payment schedule and amount.

11. EMPLOYMENT. The contractor shall develop and provide an employment program.

All offenders are expected to be employed 40 hours per week within the first 15 calendar days of their arrival at the facility. The contractor at all major use facilities shall employ an EPS. The EPS shall provide offenders with employment assistance in accordance with, but not limited to the following:

- Job/placement develop resources both in the CCC and in the community;

- Employment information assistance using computer-based technology and resources which include career assistance software and on-line resources, i.e., Internet, such as America's Job Bank (Note: The EPS shall have direct access to the Internet to meet this requirement. The EPS shall not permit any offender to directly access the Internet.) **Offenders are strictly prohibited from using the Internet.**

- Portfolio development, resume writing, proper dress and interview techniques training;

- Individual and group counseling, case management, and post-release follow-up relative to employment within the community, to include the area where the offender plans to live following release;

- Employment job fairs either on-site or in partnership with other organizations such as community colleges; and

- To maximize job retention, every effort should be made to match an offender's skill levels to an actual job placement. For example, an experienced heavy equipment operator may not be appropriately employed as a short order cook at minimum wage.

The EPS is encouraged to communicate with the BOP Inmate Placement Administrator, post contract award, to obtain pertinent and developing information in this area. The EPS may obtain the contact number to follow-up on this recommendation.

If a 40 hour employment is not obtained in 15 calendar days, the contractor shall fax the CCM with a biweekly status report of the efforts to assist the offender in obtaining employment.

Any proposed employment plan that is less than 40 hours requires the approval of the CCM and must be fully documented. An example of employment less than 40 hours is when an offender is unable to

obtain full-time employment or the offender's employment is supplemented by volunteering in the community. The contractor shall require the offender to provide an itinerary and a point of contact for each job search appointment away from the facility.

The contractor shall maintain a log which indicates the offender's name, register number, date of arrival, and date of employment. If non-employment has been approved by the CCM, the log shall indicate this status in the date of the employment column.

a. Approval and Verification. Each offender's employment requires the contractor's written approval. The contractor will ensure thorough documentation that the offender's employer is aware of the offender's legal status prior to the first workday. When written correspondence is utilized, it shall be delivered by the contractor or via U.S. mail, not hand delivered by the offender. Any changes in an offender's employment shall require advance approval by the contractor.

For each job an offender acquires, the contractor shall verify employment by a random, on-site visit during the first seven calendar days, and document the visit in case notes to include date and the title of the person contacted. The contractor shall direct the employer to notify the contractor if the offender does not report to work as scheduled, is terminated or quits. A telephone number and contact person at the CCC shall be provided to the employer to report such incidents. Thereafter, at least weekly, the offender's employment supervisor shall be contacted by phone or site visits to substantiate attendance and discuss any problems which may have arisen. The contractor shall complete additional contacts as necessary. All contacts concerning an offender's employment shall be documented in the case notes. The CCM may modify this requirement.

All offenders (BOP and USPO cases) are subject to these requirements. The contractor shall report any deviation to the CCM.

b. Restriction. Restriction from work shall not be used as a disciplinary sanction. Informal resolution shall not impede or control an offender's ability to work.

c. Electronic technology. With the use of beepers, cellular phones and computer equipment in the work place, there is a need to monitor the legitimate use of this equipment. When CCC staff believe it is essential for an offender to maintain a beeper, cellular telephone or computer equipment in the performance of his or her work while the offender is off the job-site, i.e., at the CCC to include inside the offender's vehicle, the following procedures shall be followed:

• The offender will make a written request to the facility director stating the specific need and use for the electronic communication equipment. The facility director will verify the legitimate need and forward the request for approval to the CCM. A copy of the request indicating approval or disapproval will be returned to the facility director. The contractor shall document this action in the offender's file. This approval authority may be delegated by the CCM to the facility director.

• For USPO cases, the facility director will make the request to the USPO. A copy of the request will be forwarded to the CCM for informational purposes. The USPO's response to the request will be placed in the offender's file. This approval authority may be delegated by the USPO to the facility director.

12. RESIDENCE DEVELOPMENT. The contractor will assist offenders in locating suitable housing. In the case when an offender will be released from the facility and continue some type of USPO supervision, the contractor will verify the proposed address and forward written comments regarding its suitability to the USPO for approval within 30 days of the offenders anticipated release.

13. DRUG AFTERCARE COUNSELING, URINE ALCOHOL SURVEILLANCE. The contractor shall ensure offenders with a condition of drug aftercare or history of substance abuse receive drug counseling.

Whenever possible, the offender should receive counseling from the same person and/or agency that the USPO requires when released to supervision. The exception to this is when the CCC has a specialized drug counseling program or counselor that is an integral part of the contractor's program.

Counseling shall be provided to offenders on an as-needed basis with the counseling tailored to the individual's needs. All counseling sessions shall be documented in the offender's file.

a. Drug Aftercare. Offenders who have drug aftercare as a condition of supervision, except those participating in the transitional drug abuse treatment (TDAT) services, shall have a program planning conference within two weeks of the offender's arrival to develop and establish drug aftercare counseling services. The contractor must meet with the USPO to develop a counseling program for the offenders with drug aftercare as a condition of release. The contractor will work with the USPO in meeting this requirement. The conference should include the USPO, the drug counselor, the offender, and appropriate contractor staff. The contractor may conduct this conference using teleconferencing.

Unless specifically exempted on BOP form WAIVER OF CCC DRUG TREATMENT REQUIREMENT by the Regional Transitional Drug Abuse Treatment Coordinator (T-DATC), the contractor shall provide at

least thirty minutes counseling (group or individual) weekly to offenders who have drug aftercare counseling as a condition of their release supervision and/or who have a known history of drug abuse problems. The cost of drug aftercare counseling is the responsibility of the contractor.

The minimum qualifications of the substance abuse counselor (drugs and alcohol) shall be a person licensed or certified in the state in which their services are provided, or a Bachelor's degree in behavioral sciences and at least two years experience as a substance abuse treatment professional. In addition, certified addiction counselors may be utilized. If the counseling is provided by someone other than the contractor, the contractor shall document the offender's file to indicate services have been rendered in accordance with individuals requirement.

b. Urine Surveillance.

1) Frequency. The contractor shall randomly test at least 5 percent of all the BOP cases monthly.

In addition, offenders with a condition of drug aftercare, known to have a history of drug abuse, or who are suspected of illegal drug use shall be tested four times a month. Testing in greater numbers requires the approval of the CCM.

> Note: USPO cases are not included in this requirement. However, if the contractor believes a USPO offender is abusing drugs, the contractor shall refer the suspected offender to the USPO for testing and/or administrative action. The contractor shall only test BOP cases, unless otherwise indicated by the CCM.

2) Lab. The contractor shall utilize a laboratory certified by the National Institute on Drug Abuse (NIDA) of the Department of Health and Human Services (HHS) to engage in urine drug testing for federal offenders. The contractor shall maintain certification documents and evidence that the lab meets all specifications in Attachment D for inspection by the BOP.

The urinalysis lab shall detect and identify at least the following drugs and/or metabolites by basic screen at the minimal levels in Attachment D.

A positive written report from the lab for any of the drugs listed in Attachment D indicates that the particular drug has been identified by an initial screening test and then confirmed by a different laboratory procedure.

If a lab detects and identifies other drugs or substances during the initial screening, the contractor shall take appropriate

action. The contractor may then decide whether to request confirmation.

Retesting at the offender's request is not permitted.

Urinalysis costs are the responsibility of the contractor. The USPO may use the contractors urinalysis program established for the BOP; however, costs of urinalysis for USPO cases are the responsibility of the USPO. The contractor shall maintain proof (copies of paid invoices, canceled checks, lab reports) to verify services have been rendered.

3) Testing. All urine testing shall be conducted on a "surprise," unscheduled basis in accordance with Attachment D. To eliminate the possibility of a diluted or adulterated sample, staff shall keep the offender under direct supervision following a request for a sample. If the offender is unable to provide the sample, staff shall continue the direct supervision for a two-hour period following the request for the sample.

Staff of the same sex as the offender tested shall directly supervise the giving of the urine sample. If an offender is unwilling to provide a urine sample within two hours of a request for it, staff shall file an incident report. No waiting period or extra time need be allowed for an offender who directly and specifically refuses to provide a urine sample. To eliminate the possibility of diluted or adulterated samples, staff shall keep the offender under direct visual supervision during this two-hour period, or until a complete sample is furnished. To assist the offender in giving the sample, staff shall offer the offender eight ounces of water at the beginning of the two-hour time period. An offender is presumed to be unwilling if the offender fails to provide a urine sample within the allotted time period. An offender may rebut this presumption during the disciplinary process.

As soon as the sample has been collected, the staff shall secure the specimen for analysis, placing it in a locked container. To ensure the integrity and security of the process, the contractor shall establish a chain-of-custody procedure from the point of receiving the empty bottle supplies from the laboratory until the samples are mailed to the lab for analysis. No unauthorized persons or offenders may be involved in the handling of supplies or the collecting, recording, mailing, or processing of test results under any circumstances.

4) Positive tests. A sample is positive when a urinalysis shows the presence of a controlled substance or its metabolite. For an incident report charging use of a particular drug to be justified, the minimum waiting period between successive positive samples as outlined in Attachment D must be observed. In

addition, waiting periods also apply to offenders who initially arrive at the facility.

When a positive finding cannot be explained, CCC staff shall thoroughly investigate the positive urine test result to validate the positive finding. The contractor shall report all unauthorized positive test results to the CCM on the day received. Positive test results without justification shall be the basis for a formal disciplinary report.

All urine testing shall be recorded on a log entitled Urine Sampling Program and maintained in the facility at all times. The log shall indicate those offenders subjected to the test, the staff performing the test, the date and time the test was administered, the test results, type of test and a column to indicate if the offender refused to cooperate. In addition, the contractor shall submit a completed BOP form URINE SAMPLING PROGRAM (CCC'S) with each monthly bill. This form reports information for each month.

c. Alcohol Testing. The contractor shall maintain a surveillance and counseling program in order to deter and detect introduction or use of alcohol in the facility. Costs for alcohol testing are the responsibility of the contractor.

The contractor shall establish an appropriate level of monitoring and testing to ensure adequate control of alcohol abuse, but at a minimum of one test for every ten offenders on a weekly basis. Tests shall be on a "surprise" basis.

The contractor shall maintain a log indicating those offenders subjected to the test, the staff performing the test, the date and time the test was administered, the test results, type of test and a column to indicate if the offender refused to cooperate.

A reliable testing instrument such as the one used by the BOP (Alco-Sensor Model II, III or IV), or comparable instrument or device, shall be used for testing.

The contractor will ensure staff using the instrument are familiar with its operation as outlined in the manufacturer's operating instructions. If a positive alcohol test results, .02 or higher (Alco Sensor Models), an incident report shall be prepared charging the offender with using intoxicants.

Offenders who refuse to submit to an alcohol test, either through word or action, shall receive an incident report.

Calibration checks shall be performed on the Alco-Sensor at least monthly according to procedures outlined by the manufacturer. These checks shall be documented in the test log.

14. MENTAL HEALTH. The contractor shall develop and utilize a network of mental health resources and services, including referrals to other federal, state, and community agencies, to ensure basic mental health treatment for offenders with mental health needs. The contractor shall document the community mental health resources. Cost for mental health treatment is the responsibility of the offender unless the offender has no insurance or is unable to pay. In these instances, the BOP will pay with advance approval from the CCM or when emergency treatment is required.

15. SPECIAL SUPERVISION CONDITIONS. Courts or the Parole Commission may require offenders to become involved in specific programs upon release from the CCC or in some instances, while confined at the CCC, e.g., mental health aftercare, alcohol treatment, community service obligation. The contractor will confer with the USPO or CCM on policy and procedures for implementation of all special supervision conditions.

In the case of special conditions, the contractor shall propose a plan of treatment to the CCM for approval. CCM approved costs may be included as a line item on the monthly billing for reimbursement.

16. DRIVING. The CCM approves driving privileges for a BOP offender. This approval authority may be delegated by the CCM to the facility director. The USPO approves USPO offenders to drive unless otherwise specified by the USPO.

Ordinarily, offenders may operate motor vehicles for employment purposes and when public transportation is unavailable and the appropriate approval is documented in the offender's file. Offenders approved for driving must adhere to state and local motor vehicle regulations, and must always operate the vehicle safely. The offender's file, both BOP and USPO, shall contain all supporting documentation used to determine if the offender is appropriate to drive.

If the CCM is approving driving privileges, the contractor shall submit all relevant information on the BOP form entitled AUTHORIZATION TO OPERATE A MOTOR VEHICLE to the CCM.

If the facility director is approving driving privileges, the contractor shall document all relevant information on the BOP form entitled AUTHORIZATION TO OPERATE A MOTOR VEHICLE in the offender's file.

The offender must adhere to the following conditions:

- The offender must provide proof of valid insurance, at least liability or the minimum state requirement), a driver's license, vehicle licensing and registration to the contractor. The

contractor shall maintain copies of these documents in the offender's file except for the driver's license, which many states prohibit copying. The contractor shall record the driver's license number and expiration date in the offender's file.

- If the vehicle to be used is the property of a person other than the offender, the contractor must have documented proof of valid insurance, vehicle licensing and registration, and a signed authorization (either notarized or witnessed by CCC staff) to use the vehicle obtained from the legal owner.

- The contractor shall maintain the license number and a description of the vehicle on file along with copies of the above referenced documentation.

The contractor shall document the approval in the offender's file.

17. MARRIAGE. The contractor shall refer a BOP offender's request for marriage to the CCM, with the contractor's recommendations. Marriage requests for offenders under supervision shall be forwarded to the USPO.

18. VISITING. An area of the facility shall be available for visiting. The visiting area should afford a reasonable amount of privacy as well as provide for adequate staff supervision.

19. RECREATION. In-house recreation activities, television viewing, table games, and exercise equipment shall be made available to offenders. If in-house recreation is not possible, then alternate recreation shall be made available in the community. The contractor must submit the plan to use alternate recreation to the CCM for approval.

20. RELIGIOUS ACTIVITIES. All offenders shall have access to religious services. In meeting special needs, CCC staff must exercise flexibility and utilize existing community resources. To the extent possible, offenders should be able to continue religious practices as exercised prior to confinement. Each request for religious activities shall be handled on a case-by-case basis, and the CCM shall be contacted for guidance when there are unusual requests or concerns.

The contractor shall have a system of accountability for offenders participating in religious activities.

CHAPTER 11 - Discipline

So that offenders may live in a safe and orderly environment, it is necessary for the contractor to impose discipline on those offenders whose behavior is not in compliance with the rules.

The contractor shall provide written policy and procedures for offender discipline. The contractor shall establish facility rules of conduct and sanctions, and procedures for violations of the rules of conduct, to include informal resolution. The contractor shall submit to the BOP all minor rules and sanctions, which the contractor has created, for approval.

The contractor shall use the prohibited acts in Attachment E and may add other approved minor rules as necessary for the safe and secure operation of the facility. If additional minor rules are added by the contractor, the contractor shall associate available sanction(s) to impose for the violation of each added rule. When determining a sanction, the contractor shall ensure the sanction is commensurate and appropriate to the violation.

The rules of conduct and sanctions shall be defined in writing and communicated to all offenders and staff. The contractor shall carry out disciplinary procedures within appropriate time limits, promptly and with respect for the offenders.

There is a wide range of sanctions a contractor may impose or recommend for violations of facility rules of conduct. The majority of these are minor in nature and an informal resolution, e.g., reprimand, loss of television or other privileges, may resolve the issue. The contractor is encouraged to resolve all incidents at the lowest level which correct the offender's misconduct.

The disciplinary requirements in this SOW apply to BOP offenders. USPO offenders participating in the CCC must adhere to the facility rules of conduct. If a USPO offender commits an offense which warrants disciplinary sanction the contractor shall contact the USPO for guidance.

1. GENERAL. The contractor shall take disciplinary action at such times and to the degree necessary to regulate an offender's behavior within BOP's prohibited acts and rules of conduct to promote a safe and orderly facility environment. The contractor shall control offender behavior in a completely impartial and consistent manner. Disciplinary action may not be capricious or retaliatory. The contractor may not impose or allow imposition of corporal punishment of any kind.

a. The contractor shall use the following BOP discipline forms (provided by the CCM):

• CENTER DISCIPLINE COMMITTEE (CDC) REPORT (CCC'S) is used by the CDC to summarize the action taken by the CDC.

• DUTIES OF STAFF REPRESENTATIVES (CCC'S) is used to outline the responsibilities of an employee who is available to assist the offender if the offender desires by speaking to witnesses and by presenting favorable evidence to the CDC on the merits of the charge(s) or in extenuation or mitigation of the charge(s).

• INCIDENT REPORT (CCC'S) is used to document the offender's misconduct (summary of the offense committed and prohibited act code)

• INMATE RIGHTS AT CENTER DISCIPLINE COMMITTEE HEARING is used to notify the offender of their rights before the CDC and allows the offender to waive the 24-hour notice prior to appearing before the CDC.

• NOTICE OF CENTER DISCIPLINE COMMITTEE HEARING (CCC'S) is used to notify the offender of date and time of the CDC.

• WAIVER OF APPEARANCE (CCC'S) is used to notify the offender of their right to appear before the CDC and allows the offender to waive their appearance before the CDC.

b. Categories. There are four categories of prohibited acts (see Attachment E) - Greatest (100 level), High (200 level), Moderate (300 level), and Low Moderate (400 level). Specific sanctions are authorized for each category. Imposition of a sanction requires that the offender first is found to have committed a prohibited act. The following guideline indicates the available sanctions to impose if an offender is found to have committed a prohibited act:

1) Greatest Category Offenses (100 level codes). The CDC shall refer all 100 level codes to the DHO. The contractor shall immediately notify the CCM of all 100 level code violations.

2) High Category Offenses (200 level codes). The CDC may impose and execute one or more of sanctions G through M, except for a VCCLEA offender rated as violent or for a PRISON LITIGATION REFORM ACT (PLRA) offender. All high category offense charges for a VCCLEA offender rated as violent and for a PLRA offender must be referred to the DHO.

3) Moderate Category Offenses (300 level codes). The CDC may impose one or more sanctions G through N, but may suspend any sanction or sanctions imposed. The CDC ordinarily shall refer to the DHO a moderate category charge for a VCCLEA offender rated as violent or for a PLRA offender if the offender had been found to have committed a moderate category offense during the offender's current anniversary year. Current anniversary year means the

twelve month period of time for which an offender may be eligible to earn good conduct time. The CDC shall consult with the CCM for specific information. The CDC must thoroughly document in writing the reasons why the charge for such an offender was not referred to the DHO.

4) Low Moderate Category Offenses (400 level codes). The CDC may impose one or more sanctions G through P, but may suspend any sanction or sanctions imposed. The CDC ordinarily shall refer to the DHO a low moderate category charge for a VCCLEA offender rated as violent or for a PLRA offender if the offender had been found to have committed two low moderate category offense during the offender's current anniversary year. Current anniversary year means the twelve month period of time for which an offender may be eligible to earn good conduct time. The CDC shall consult with the CCM for specific information. The CDC must thoroughly document in writing the reasons why the charge for such an offender was not referred to the DHO.

c. Aiding. Aiding another person to commit any of these offenses, attempting to commit any of these offenses, and making plans to commit any of these offenses, in all categories of severity, shall be considered the same as a commission of the offense itself. In these cases, the letter "A" is combined with the offense code. For example, planning an escape would be considered as Escape and coded 102A. Likewise, attempting the adulteration of any food or drink would be coded 209A.

d. Suspensions of Any Sanction. Suspensions of any sanction cannot exceed six months. Revocation and execution of a suspended sanction require that the offender first is found to have committed any subsequent prohibited act. The CDC may execute, suspend, or revoke and execute suspensions of sanctions G through P. Revocations and execution of suspensions may be made only at the level which originally imposed the sanction.

2. PROCEDURES UPON ADMISSION TO CCC. The contractor shall develop and have a pamphlet, i.e., summary of the disciplinary system to include BOP prohibited acts and contractor's rules of conduct, to give to offenders when they first arrive at the CCC. This shall be given to each offender as part of the orientation program. A signed receipt is to be obtained from each offender acknowledging that a copy of the pamphlet was received and is to be place in the offender's file.

The contractor shall to the extent reasonably available, have a qualified staff member or translator to help offenders who have a language or literacy problem obtain an understanding of the BOP rules on discipline. When a significant portion of the offender population speaks a language other than English, the pamphlet is to be made available in that language. The contractor shall post

copies of the rules at a prominent location, accessible to all offenders.

3. TYPES OF DISCIPLINARY ACTION.

a. Informal Resolution. The contractor may resolve misconduct through an informal resolution process. Informal resolution of misconduct is preferred and shall always be considered before taking formal disciplinary action. The contractor can only informally resolve 300 and 400 level codes.

The contractor shall expunge the incident report if informal resolution is accomplished from the offender's file.

A record of any informal resolution in the 300 or 400 level codes (whether between the offender and the writer of the report, the offender and the CDC) is to be maintained by the facility director for twelve months. The record is to reflect the offender's name, register number, subject of the informal resolution, and the agreed upon disposition. This procedure should enable the facility director, and others as necessary, to monitor the informal resolution process.

NOTE: Staff may suspend disciplinary proceedings for a period not to exceed two calendar weeks while informal resolution is undertaken and accomplished. If informal resolution is unsuccessful, staff may reinstate disciplinary proceedings at the same stage at which they were suspended. The time requirements then begin running again, at the same point at which they were suspended.

b. Formal Hearings Before the CDC. The contractor shall have the CDC hear all 200 level code violations. A prohibited act in the 100 level codes requires the CDC to convene and refer it to the DHO. The CDC shall also refer a prohibited act in the 200, 300 and 400 level codes when the prohibited act has been committed by a VCCLEA offender rated as violent or by a PLRA offender as outlined in this chapter. The CDC shall make a disposition on all 200 level codes, except VCCLEA offenders rated as violent or by a PLRA offender, and all 300 and 400 level codes not informally resolved or required to be referred to the DHO due to VCCLEA and PLRA status. The CDC cannot impose sanctions A through F in Attachment E.

When a referral is made to the DHO, the CDC will recommend one or more of the sanctions commensurate to the prohibited acts outlined in Attachment E. Only those sanctions can be recommended.

4. BOP INCIDENT REPORT (CCC'S). Staff shall produce an incident report on all major violations that are not subject to informal

resolution. The BOP encourages informal resolution (requiring consent of both parties) of incidents involving violations of regulations. However, when staff have a reasonable belief that a violation of regulations has been committed by an offender, and when staff considers an informal resolution of the incident inappropriate or unsuccessful, staff shall prepare an incident report. Reporting staff will complete Part I of the incident report.

> Note: When a volunteer observes a violation, that person will submit a written description of the incident and a staff member shall complete the BOP incident report. In addition, staff may complete an incident report from information on a police report. The charge may be translated into terms of the prohibited acts. A telephone report from an approved laboratory of a positive urinalysis is sufficient evidence to write a report; however, documentary confirmation must be obtained before the formal hearing.

The entire language of the prohibited act(s) does not have to be copied. Only the relevant portion need be used. For example, "destroying government property, code no. 218" "possessing narcotics, code no. 113" would be acceptable listings for appropriate charges.

The description of the incident should contain the details of the activity which is being reported. All facts about the incident which are known by the employee and which are not confidential should be recorded. If there is anything unusual about the offender's behavior, this would be noted. The reporting employee should also list those persons (staff, offenders, others) present at the scene, and the disposition of any physical evidenced (weapons, property, etc.) which the employee may have personally handled. The report is also to reflect any immediate action taken during the incident, including the notification of law enforcement. The reporting employee shall sign the report and indicate his or her title in the appropriate blocks. The date and time of the report being signed should be entered. The incident report should then be forwarded to the appropriate investigating officer for disposition.

Staff shall give each offender charged with violating a BOP prohibited act a written copy of the charge(s) against the offender, ordinarily within 24 hours of the time staff became aware of the offender's involvement in the incident. This is accomplished by providing the offender a copy of PART I of the incident report. The staff member shall note the date and time the offender received a copy of the incident report.

5. SPECIAL REPORT WRITING INSTRUCTIONS. Because of national data collection requirements, the contractor shall obtain guidance when one of the following violations occur:

- Code 100 - Killing
- Code 101 - Assaulting any Person (Serious)...
- Code 107 - Taking Hostages
- Code 203 - Threatening Another with Bodily Harm...
- Code 205 - Engaging in Sexual Acts
- Code 206 - Making Sexual Proposals or Threats to Another
- Code 224 - Assaulting any Person (Less Serious)..

6. INVESTIGATION. Staff shall conduct the investigation promptly unless circumstances beyond the control of the investigating officer intervene. The facility director shall appoint an investigating officer ordinarily within 24 hours of the time the violation is reported. Staff writing the report may not investigate the report. The investigation is initiated and ordinarily completed within 24 hours of this appointment. If the investigation cannot be completed in three days, the contractor shall document the reasons and notify the CCM.

a. BOP Forms. The investigating officer shall give the following forms to the offender for signature. The investigating officer is responsible for attaching these completed forms to the incident report and providing the offender with copies.

- INMATE RIGHTS AT CENTER DISCIPLINE COMMITTEE HEARING
- NOTICE OF CENTER DISCIPLINE COMMITTEE HEARING (CCC'S)
- WAIVER OF APPEARANCE (CCC'S)
- DUTIES OF STAFF REPRESENTATIVES (CCC'S)

The investigator shall advise the offender of the right to remain silent at all stages of the disciplinary process but that the offender's silence may be used to draw an adverse inference against the offender at any stage of the disciplinary process. The investigator shall also inform the offender that the offender's silence alone may not be used to support a finding that the offender had committed a prohibited act. The investigator shall read the charge(s) to the offender and ask for the offender's statement concerning the incident unless it appears likely that the incident may be the subject of criminal prosecution. Note: the investigating officer may informally resolve all 300 and 400 level codes.

b. Outside Investigations. When it appears likely that the incident is subject to criminal prosecution, the investigating officer shall suspend the investigation and notify the CCM for guidance. Staff may not question the offender until the Federal Bureau of Investigation or other investigative agency interviews have been completed or until the agency responsible for the criminal investigation advises that staff questioning may occur.

c. Investigation By The Contractor. The investigating officer shall thoroughly investigate the incident and shall record all steps and actions taken on PART III of the incident report. Once completed, PART III shall be forwarded with all relevant material to the CDC. The offender does not receive a copy of PART III.

When the offender did not receive a copy of the incident report at the beginning of the investigation, the reason(s) for this should be stated in the investigative portion of the incident report. Document the fact that the offender has been advised of the right to remain silent in the investigative portion of the incident report. Comments about the offender's attitude may be included with the offender's statement on the charge(s).

To the extent practicable, the offender's statements offering a rationale for his or her conduct or for the charges against him or her should be investigated.

The investigating officer should talk to those persons with direct and relevant information, and summarize their statements. The disposition of evidence should be recorded. Often, the investigating officer will want to talk to the reporting employee to obtain a report firsthand and to clarify any question(s) the investigating officer may have. Under comments and conclusions, the investigating officer may include their:

- Comments on the offender's prior record and behavior,
- Analysis of any conflict between witnesses, and
- Conclusions of what in fact happened.

1) Confidential Informant. When a discipline decision will be based on confidential informant information, the contractor shall seek the guidance of the CCM for appropriate use and documentation.

7. STAFF REPRESENTATION. The offender may request a staff representative. The contractor shall ensure that the offender has a staff representative if requested by the offender. The offender may not use an attorney as a representative. The staff representative may review the investigation to ensure the offender's rights have not been violated. However, the staff representative is advised the offender may not get a copy of the investigation or may not have knowledge of sensitive information. The staff representative shall be available to assist the offender if the offender desires by speaking to witnesses and by presenting favorable evidence to the CDC on the merits of the charge(s) or in extenuation or mitigation of the charge(s). The CDC shall arrange for the presence of the staff representative selected by the offender.

8. WITNESSES. The offender or their representative may request witnesses from inside or outside the CCC, where their presence at

the hearing would not pose a serious threat to the security of the witness or the CCC. The investigating officer will notify the requested witnesses of the formal hearing. The reporting employee and other adverse witnesses need not be called if their knowledge of the incident is adequately summarized in the incident report, investigation, or other material supplied to the CDC. Witnesses whose testimony would be repetitious or irrelevant need not be called; written statements of unavailable witnesses will be accepted in place of "live" testimony. However, there must be good reason for failure to call a witness in person, and the reason shall be documented.

9. FORMAL HEARING. If an incident cannot be resolved informally, and the offender is a BOP case, the contractor shall proceed with a formal CDC hearing.

If the offender is being held locally (within a 50 mile radius), the CDC will make arrangements for an in-person hearing, unless the offender waives the in-person hearing. If circumstances do not allow for in-person hearing, e.g., permission cannot be obtained by the holding official or the offender is on escape status, the CDC will conduct the hearing in absentia and notify the CCM. Remote hearings shall not diminish the offenders rights at CDC.

The contractor shall delegate to one or more staff members the authority and duty to hold a formal hearing upon completion of the investigation. In order to ensure impartiality, the appropriate staff member(s) (hereinafter usually referred to as the CDC) may not be the reporting or investigating officer or a witness to the incident, or play any significant part in having the charges referred to the CDC.

However, a staff member witnessing an incident may serve on the CDC where virtually every staff member in the facility witnesses the incident in whole or in part. If the CDC finds at the formal hearing that an offender has committed a prohibited act, the CDC may impose dispositions and sanctions. When an alleged violation of BOP rules is serious and warrants consideration for other than what the CDC may impose, the CDC shall refer the charges to the DHO. The CDC must refer all 100 level codes to the DHO. The following minimum standards apply to formal hearings in all CCCs.

Each offender so charged is entitled to a formal hearing before the CDC, ordinarily held within three work days from the time staff became aware of the offender's involvement in the incident. This three work day period excludes the day staff became aware of the offender's involvement in the incident, weekends, and holidays.

For example, if staff become aware of an offender's involvement in the incident on a Tuesday and provide

the offender with a copy of the report on Tuesday, the three work day period starts the following day, Wednesday. The CDC hearing must ordinarily be held by Friday.

The offender is entitled to be present at the formal hearing except during deliberations of the decision maker(s) or when security would be jeopardized by the offender's presence. The CDC shall clearly document in the record of the hearing reasons for excluding an offender from the hearing. An offender may waive the right to be present at the CDC hearing provided that the waiver is documented by staff.

The offender is entitled to make a statement and to present documentary evidence in the offender's own behalf.

The CDC will convene and formally refer all 100 level codes to the DHO.

In regards to 200, 300 and 400 level codes, the CDC shall consider all evidence presented at the hearing and shall make a decision based on at least some facts, and if there is conflicting evidence, it must be based on the greater weight of the evidence. All sanctions must be commensurate with the prohibited act. The contractor shall consider the requirements of this chapter regarding a VCCLEA offender rated as violent or PLRA offender.

Accordingly, the CDC shall take one of the following actions:

- Informally resolve the incident;

- Find that the offender did not commit the prohibited act charged or a similar prohibited act if reflected in the incident report;

- Find that the offender committed the prohibited act charged and/or a similar prohibited act if reflected in the incident report and impose sanctions (G thru P, commensurate with the prohibited act); or

- Find that the offender committed the prohibited act charged and/or a similar prohibited act if reflected in the incident report and refer the packet to the DHO to impose sanctions, (A thru P, commensurate with the prohibited act).

The CDC cannot impose sanctions A thru F listed in Attachment E. If any of these sanctions are appropriate for the violation for the prohibited act committed, the CDC will refer the incident to the DHO.

NOTE: The phrase "some facts" refers to facts indicating the offender did commit the prohibited act. The phase "greater weight of the evidence" refers to the merits of the evidence, not to its quantity nor to the number of witnesses testifying.

If the CDC finds a prohibited act was committed, the chairperson, shall complete the PART II of the incident report and BOP form NOTICE CENTER DISCIPLINE COMMITTEE (CDC) REPORT. A verbatim record is not required. These documents are certification of those persons serving on the CDC and the CDC proceedings. The names of other CDC members, if any, participating in the hearing are to be noted in Part II of the incident report in the space provided. The evidence relied upon, the decision, and the reasons for the recommendations shall be written out in specific terms, unless doing so would jeopardize center or individual security. Under "evidence relied upon," there must be reference to the specific facts the CDC relied upon and not mere reference to the incident report that contains those facts.

When sanctions are recommended to the DHO, staff shall, immediately after the hearing, forward the completed CDC packet to the DHO with copies placed in the offender's file. The CDC packet shall consist of:

- INCIDENT REPORT (CCC'S);
- CENTER DISCIPLINE COMMITTEE REPORT;
- INMATE RIGHTS AT CENTER DISCIPLINE COMMITTEE HEARING;
- NOTICE OF CENTER DISCIPLINE COMMITTEE HEARING (CCC'S);
- WAIVER OF APPEARANCE (CCC'S);
- DUTIES OF STAFF REPRESENTATIVES (CCC'S); and
- Other pertinent information related to the proceedings.

The CDC shall give the offender a written copy of the decision and disposition and advise they may appeal the decision through the Administrative Remedy Process.

In the event the CDC finds that no prohibited act was committed, the CDC will indicate it on the incident report, PART II. A copy shall be provided to the offender. All other material shall be expunged by staff. If the finding (the offender committed the act) is overturned on appeal, the CCM will notify the contractor with advisement. If the DHO requires additional action in the proceedings, the CDC will comply.

The requirement for expunging the disciplinary hearing material does not preclude maintaining for research purpose copies of disciplinary actions resulting in "not guilty" finding in a master file for one year, separate from the offender's file.

CHAPTER 12 - Administrative Remedy

The contractor shall establish a written grievance procedure and make it available to all offenders.

The contractor shall comply with the most recent version of the BOP program statement entitled Administrative Remedy Program. The contractor shall stock and provide offenders with BOP ADMINISTRATIVE REMEDY FORMS to accommodate any claims directly related to BOP matters, e.g., disciplinary decisions or component assignment.

CHAPTER 13 - Food & Medical Services

1. FOOD SERVICES OPERATIONS. The contractor shall possess the most recent copy of the FDA, U.S. Department of Public Health, Food Code. The contractor shall comply with its requirements.

The contractor shall ensure that food provided to the offenders is safe and does not become a vehicle in a disease outbreak or in the transmission of communicable disease. The contractor shall, to the extent possible, ensure that food is unadulterated, prepared in a clean environment, and honestly presented.

The contractor's food service dining area, either in-house or contracted out, shall not be part of an establishment that serves alcoholic beverages.

The contractor shall provide meals to offenders who work irregular hours and are not available at regularly scheduled meal times.

a. Menus. A Registered Dietician (RD) means that a person has completed academic and experience requirements established by the Commission on Dietetic Registration, the credentialing agency for American Dietetic Association (ADA). RDs provide reliable, objective nutrition information, separate facts from fads and translate the latest scientific findings into easy-to-understand nutrition information.

An RD shall annually review and approve the nutritional value of the menu, if fixed and semi-annually if not fixed. All the meals shall meet the recommended dietary allowances and the dietary guidelines as set by the current version of the ADA. The FOOD GUIDE PYRAMID, Attachment F, is a guide for what to serve each day based on the dietary guidelines. The contractor shall maintain a copy of the RD's current credentials and the certified menus for inspection by the BOP.

Menus shall be prepared and be posted in a very conspicuous place for offender's viewing.

1) Special Menus or Diets. The contractor shall provide meals which meet diets required by confirmed religious preference, physician or dentist.

The contractors shall not prepare anything made with poppy seeds. Since poppy seeds could appear in a urinalysis and suggest the use of narcotics, the contractor shall advise offenders in writing not to eat poppy seeds. The offender must acknowledge this notice by signing an acknowledgment of this information. The contractor shall document this acknowledgment in the offender's file.

b. Provisions. All offenders, regardless of employment or financial status, shall be provided the opportunity for food services. Under no circumstances will the offender be required to pay for these services. The contractor shall include these costs in the per-diem rate.

The contractor shall provide a food service program either by contractor preparation and serving in the facility or through a sub-contractual agreement with a food service provider.

1) Vendor or Food Service Provider. The contractor providing meals to offenders through arrangements with a local vendor or food service provider, shall provide a copy of their agreement and ensure the following:

- The contractor shall be responsible for the person in charge as defined in the FDA, U.S. Department of Public Health, Food Code. This responsibility cannot be delegated.

- The contractor shall comply with the requirements in the FDA, U.S. Department of Public Health, Food Code.

- The contractor shall show evidence the vendor or food services provider is a full-service organization, capable of providing breakfast, lunch, and dinner, and identify the person operating as the person in charge on behalf of the vendor or food service provider. In addition, the contractor shall identify the person who legally owns and operates the vending company or food service.

- The contractor shall show evidence the owner is a permit holder. Permit means the document issued by the regulatory authority that authorizes a person to operate a food establishment. The contractor shall maintain a valid copy of the permit.

- The contractor shall show evidence the establishment meets all state and/or local sanitation and health codes, and complies with the FDA, U.S. Department of Public Health, Food Code.

The CCM will approve the use of a vendor or food service provider.

2) Food Service By the Contractor. When food services are in the facility, the contractor shall have adequate space to provide for food preparation and service and provide an eating and seating area, i.e., at least 15 square feet per person, for all who dine at the same time. The area shall be separated from sleeping quarters and well ventilated, properly furnished, and clean.

When the contractor prepares and serves meals in the facility, the contractor shall comply with the requirements of the FDA, U.S. Department of Public Health, Food Code. In addition, all persons preparing food shall comply with federal, state, and local health and sanitation codes. In the event of any conflict in these codes, the most stringent will apply. The contractor shall identify the person in charge of food preparation to the CCM.

The contractor shall require any person who serves, prepares or handles food to have a prior physical examination and possess a valid Food Handlers License, if available.

No person shall work in the food service establishment who has a communicable disease, disorder or respiratory problem.

Employees handling food shall thoroughly wash their hands and the exposed portions of their arms with soap and warm water before starting to work, during work as often as necessary to keep them clean, and after smoking, eating, drinking, or using the toilet.

The contractor shall post hand washing signs in all lavatory areas over sinks. Hand-cleansing soap, towels and/or air dryers are to be available at each lavatory. The use of common towels or bar soap is prohibited.

The outer clothing of all food handlers shall be clean. Employees shall keep their fingernails clean and trimmed.

All food handlers involved in the preparation or serving of the food are required to wear proper apparel, e.g., plastic gloves, hats, caps, hair net, beard net.

No employee or offender shall use tobacco in any form while in the food preparation or service area.

c. Stored Food. Stored food shall be obtained from sources that comply with all laws relating to food and food labeling.

1) Food shall be free from spoilage and filth and be safe for human consumption.

2) Containers used in food preparation shall be kept covered after they are filled.

3) All food contact surface areas shall be smooth and free of cracks, chips, etc., and free of corners or crevices which would be difficult to clean.

4) All open containers or bins of ice must have plastic or metal tongs and/or scoops provided for proper and safe dispensing of ice.

5) Food must be properly stored at least 6" off the floor level and shall not be stored under exposed or unprotected sewer or water lines.

6) Food storage under automatic fire sprinkler systems is permissible; however, material cannot be stacked within 18" of the sprinkler head.

7) Food shall not be stored in proximity to pesticides or cleaning materials.

8) The storage of food, equipment, utensils or single-service articles in toilet areas or vestibules is prohibited.

9) All dishwashing machines shall be thoroughly cleaned at least once a day, or more often when necessary, to maintain them in proper condition. Tableware shall be washed, rinsed, and sanitized after each use. Cleaned and sanitized equipment and utensils shall be handled in such a way to be protected from contamination.

10) Stored frozen foods shall be maintained frozen. Stored refrigeration shall be maintained at 5° Celsius (41° Fahrenheit) or less. Exceptions to these requirements are outlined in the FDA, U.S. Department of Public Health, Food Code.

d. Refuse. Refuse is solid waste not carried by water through the sewage system.

1) Garbage and refuse shall be kept in durable insect and rodent-proof containers which do not leak or absorb liquids. Garbage and refuse shall be disposed of often enough to prevent the development of odor and other conditions that attract or harbor insects and rodents.

e. Liquid Waste. The contractor shall prevent backflow or back siphonage in accordance with the FDA, U.S. Department of Public Health, Food Code. The system shall meet American Society of Sanitary Engineering (ASSE) standards for construction, installation, maintenance, inspection, and testing for that specific application and type.

f. Fire Extinguishing Systems. The contractor shall comply with NFPA. Fire extinguishing systems over grills, deep fat fryers, etc., shall be equipped with automatic shut-off devices for when the system is activated. Fuse links are to be changed and the system tested in accordance with the manufacturers' recommendation. Grease filters are to be kept clean and should be made of stainless steel for safety reasons.

2. MEDICAL SERVICES. The contractor shall provide offenders an opportunity to access medical care and treatment. The intent is

to assist the offender in maintaining the continuity of medical care and treatment in accordance with the requirements of this SOW.

The contractor shall provide on-site emergency first aid and crisis intervention to include a first aid kit, trained staff in basic first aid, and policy that outlines steps that employees take in case of an emergency. The first aid kit equipment must meet the basic requirements described by OSHA Regulations (Standards -29CFR). The first aid kit shall at least consist of a weatherproof container with individual sealed packages for each type of item. The contents of such kit shall contain a sufficient quantity of at least the following types of items:

- Gauze roller bandages, 1 inch and 2 inch;
- Gauze compress bandages, 4 inch;
- Adhesive bandages, 1 inch;
- Triangular bandage, 40 inch;
- Ammonia inhalants and ampules;
- Antiseptic applicators or swabs;
- Burn dressing;
- Eye dressing;
- Wire or thin board splints; and
- Forceps and tourniquet.

The contractor shall provide that each staff member is certified in cardiopulmonary resuscitation (CPR). In addition, the contractor shall provide that staff are trained to respond to health-related situations to include universal precautions and suicide prevention.

The contractor shall have written policy and procedure regarding the control and dispensing of an offender's prescribed medication.

The contractor shall develop and use a consent form which gives the contractor access to an offender's medical information if the offender becomes hospitalized and is physically unable to provide this consent. This consent will be in writing and meet all local standards, laws and regulations unique to the contractor's place of performance. This consent shall be secured by the contractor during the intake screening process and filed in the offender's file.

1. EXPENSES. Expenses for an offender's medical and dental care shall be the responsibility of each offender. These may be personally paid or paid by the offender's insurance.

If the offender has no resources, the contractor shall make every effort to secure no-cost treatment. If no-cost treatment is not possible, the contractor shall contact the CCM to determine if the offender should be transferred to a BOP medical institution.

BOP will not reimburse medical expenses for USPO cases unless specifically indicated in this SOW.

a. Emergency. In an emergency, the contractor shall obtain the necessary emergency medical treatment required to preserve the offender's life. The contractor shall immediately notify the CCM of emergency treatment.

If an offender at any time appears to have a communicable or debilitating physical problem, the contractor shall notify the CCM for approval to make arrangements for an examination. An exception to this requirement is Medical Screening upon the offender's initial arrival to the facility.

1) Payment. If the offender cannot pay or if the emergency treatment is not covered by the offender's insurance, the contractor shall pay and submit the paid invoice with the regular monthly billing to the CCM. The Government will reimburse the contractor for all emergency medical treatment for both BOP and USPO offenders.

2. PRE-ARRANGED TREATMENT. The contractor shall have a written arrangement with a licensed general hospital, private licensed physician or clinic to ensure emergency medical service is available 24 hours a day.

3. EXAMINATION OF OFFENDERS COMMITTED DIRECTLY TO THE CCC. Except for transfers from a federal institution, when a BOP or USPO offender is admitted directly to the facility, the contractor shall ensure a physical examination is accomplished within five calendar days of arrival at the center. The contractor shall factor the cost for these examinations in the business proposal.

The examination is to determine any urgent medical or mental health care needs, restrictions from work, and freedom from infectious disease. The contractor shall notify the CCM of those offenders with immediate mental or medical health needs and infectious disease. The results shall be documented and sent to the CCM with copies to the offender's file. These procedures are for the protection of the patient and other offenders and staff.

The examination shall include diagnostic procedures relating to potential communicable and infectious disease when medical staff make the determination that testing is clinically indicated. The examine shall be a general office visit comparable to an "insurance-type" physical and may not require hospitalization. Routine laboratory studies shall at least include complete blood count (CBC), urinalysis, tuberculin screening tests, infectious disease screening, and serological tests for syphilis.

4. INFECTIOUS DISEASE. The facility director has a need to know of institution transfers with positive human immunodeficiency virus (HIV) or hepatitis B virus (HBV) status for purposes of pre-release management and access to care. In instances of notification, the contractor shall take precautions to ensure that only authorized persons with a legitimate need to know are allowed access to the information in accordance with the Privacy Act of 1974.

The contractor shall observe universal precautions. This method of infection control requires all employees to assume that all human blood and specified human body fluids are infectious for HIV, HBV, and other blood borne pathogens. Where differentiation of types of body fluids is difficult or impossible, all body fluids are to be considered as potentially infectious.

CHAPTER 14 - Records and Reports

The contractor shall provide that records are safeguarded from unauthorized and improper disclosure and that when any part of the information system is computerized, security ensures confidentiality. The contractor shall provide access to the Government concerning the performance of this contract.

Several sections of this SOW require the contractor to maintain records on offenders, which is considered to be part of the inmate's central file. Other documents are unique to contract performance and the property of the BOP. The contractor shall not establish a separate system of records without prior approval of the CCM. All records related to contract performance shall be retained in a retrievable format for the duration of the contract. Except as otherwise expressly provided in this SOW, the contractor shall, upon completion or termination of the resulting contract, transmit to the BOP any records and/or documents related to performance of the contract.

1. OFFENDER FILE. The contractor shall maintain a central file on each offender that includes all significant decisions and events relating to the offender, and at least the following information:

- Initial intake information form,
- Case information from referral source, if available,
- Case history/social history,
- Medical record, when available,
- Individual program plan,
- Signed release of information & other consent forms,
- Evaluation and case notes,
- Current employment data,
- Signed acknowledgment of receipt of facility rules,
- Signed acknowledgment of receipt of disciplinary policy,
- Grievance and disciplinary record,
- Documented legal authority to accept resident,
- Referrals to other agencies,
- Terminal report, and
- Record of resident finances.

In order to facilitate the planning, implementation, and evaluation of programs, documents entered into the files shall be dated and signed by the staff member making the entry.

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The contractor shall provide a method to account for each file and to ensure documents are filed into the file in a timely manner.

2. OTHER RECORDS.

a. Urine Report. The contractor shall complete the BOP form URINE SAMPLING PROGRAM (CCC'S) on a monthly basis and forward it to the CCM along with the monthly billing. The contractor shall also send a copy of this report to the Chief USPO.

The contractor shall maintain a chronological log for all offenders tested under the urine testing program. The log shall include specimen number, resident's name and number, date sample collected, staff member witnessing collection, reason for test, results and date received. These individual logs shall be placed in the offender's file.

When submitting a sample for testing, the contractor shall complete the sampling ID slip and place it in the individual offender's file. Written sample results will be compared with this slip when received from the laboratory.

b. Bill. The contractor shall provide the CCM with a monthly bill and a report of each offender's finances to include wages and salaries, number of hours worked, amount and type of deductions, e.g., federal taxes, state taxes, social security contributions. In addition the report shall include information regarding savings, amount of subsistence collected, and any financial obligations, i.e., restitution, COIF, fine payments, Court ordered child support paid by the offender.

The contractor shall send invoices to the CCM by the 10th of the month using either the U.S. postal system or other means available. The CCM may require earlier submission.

c. Log. The contractor shall control and monitor access to all logs.

1) Employment. The contractor shall maintain a written log of an offender's employment, and/or unemployment. The log will list all offenders by name and register number. It will indicate date of arrival, date employed. The contractor shall document an offender's file when the offender does not obtain employment 15 calendar days from their arrival.

2) Sign IN/OUT. The contractor shall maintain a sign in/out log as indicated in the Sign-Out Procedures.

3) Search Log. The contractor shall maintain a log to indicate searches of the facility.

4) Urine Sample Testing Log. The contractor shall maintain a log to indicate urine samples taken from offenders.

5 Alcohol Testing Log. The contractor shall maintain a log to indicate alcohol tests taken from offenders.

6) Other. The contractor shall provide a log that tracks information at the direction of the CCM.

3. CONFIDENTIALITY. The Privacy Act and Freedom of Information Act (FOIA) sets forth a series of requirements governing federal agency record keeping practices intended to safeguard individuals against invasions of personal privacy. The determination of what information may be released requires staff to have a basic understanding of both the FOIA and the Privacy Act. Staff also should be aware that the Privacy Act establishes criminal penalties and civil liabilities for unauthorized disclosures. The contractor shall not release any BOP document to an offender or anyone else without the approval of the CCM.

The contractor shall not release information to any individual unless the subject of the request has provided written consent.

BOP documents that are sought by subpoena, Court order, or other Court demands are subject to the approval of the Attorney General or his or her designee before they may be produced. The guidelines are set forth in 28 CFR §16, subpart B. Accordingly, if a contractor receives such demands shall notify and consult with the CCM for advice regarding proper handling of the demand.

In order to release information to an offender's employer and other third parties, the contractor will obtain a release from the offender. Likewise, offenders shall acknowledge other conditions of residence in a center program which include, but are not limited to, urine testing, subsistence collection, medical treatment, and an agreement to abide by posted regulations.

CHAPTER 15 - Release Preparation

The contractor shall ensure timely and appropriate releases of offenders from custody. The contractor shall provide written procedures for releasing offenders at the end of their sentence, but not limited to, the following:

- Verification of identity;
- Verification of release papers;
- Completion of release arrangements;
- Notification of the USPO, if required;
- Return of personal effects such as medication;
- Check to see that no facility property leaves the facility;
- Arrangements for completion of any pending action;
- Arrangements for community follow up if required;
- Instruction on forwarding of mail; and
- Obtain forwarding address and telephone number.

1. RELEASES. The contractor shall provide written procedures for establishing a formal release plan for offenders and execute appropriate release certificates. The plan shall include the offender's verified residence and employment or training program.

The contractor shall consult with the CCM on each offender's release to verify the actions required of the contractor.

Offenders shall be released by 9:00 A.M. The contractor shall telephonically notify, before 1:00 P.M. of the same day, the CCM of offenders who have released from the CCC. Releases outside this requirement must be coordinated with the CCM.

a. Types of Releases.

1) Parole is a conditional release from custody, ordered at the discretion of the U.S. Parole Commission, at any time on or after the parole eligibility date.

2) Mandatory Release is a release from sentence confinement with sentence supervision to follow, pursuant to the requirement of Title 18, U.S. C. §4164.

3) Expiration Full Term is a type of release that indicates the offender has completed the confinement portion of his/her sentence, and has no supervision to follow.

4) Expiration Full Term with Special Parole to Follow is a type of release that indicates the offender has completed the confinement portion of his/her sentence, but has a Special Parole Term (SPT) to follow.

5) Expiration with Good Time is a type of release that indicates the offender has completed the confinement portion of his/her sentence, and has no supervision to follow.

6) Expiration with Good Time with Special Parole to Follow is a type of release that indicates the offender has completed the confinement portion of his/her sentence, including good time deductions pursuant to Title 18, U.S.C. §4163, but has a Special Parole Term (SPT) to follow.

7) All "New Law" related offenses, GOOD CONDUCT TIME RELEASE (GCT REL), FULL TERM (FT REL) releases fall under the Sentencing Reform Act of 1984, Violent Crime Control and Law Enforcement Act (VCCLEA) of 1994, and Prison Litigation Reform Act (PLRA) of 1995. These are unconditional releases from the confinement portion of the sentence. No supervision applies to the sentence imposed, but a period of supervised release could be imposed in connection with the offense.

8) Probationer BOP Release CCCA (PROB BOP) is a type of release that indicates the offender will release from custody as a condition of supervision or probation.

9) Probationer CTC Release CCCA (PROB CTC) is a type of release that indicates the offender who will release from the CCC as a condition of supervision or probation. This is a USPO case.

10) Public Law Mandatory Releasee (PL MR), public law parolee (PL PAR), and public law probationer (PL PROB) is a type of release that indicates the offender who will release from the CCC to supervision. These are USPO cases.

b. Release Planning. With the exception of FULL TERM RELEASE with no supervision to follow, staff at least six weeks before a release date submit a proposed release plan to the USPO for investigation and approval.

At least four weeks before a parole release date, staff shall submit a request for a parole certificate to the appropriate U.S. Parole Commission office, with the USPO approval attached.

Parole certificates are mailed or faxed from the U.S. Parole Commission directly to the CCC. The contractor shall consult with the CCM to ensure that the number of days remaining to be served is accurate and that any special conditions are noted on the reverse side of the parole certificate prior to the offender being released from the CCC. The contractor shall mail the signed parole certificate to the CCM.

NOTE: Conditions of release are read to the offender and the offender's signature (witnessed and dated by a staff member) is obtained on each of the parole

certificates and SPT certificates, when applicable. Each page of the certificate is signed individually, in pen, and is not carbonized. Release on parole is not effective without the offender's signature. Copies are distributed as follows: (a) original to offender; (b) copy to USPO; (c) "institution copy" to CCM; and (d) copy to U.S. Parole Commission Office.

If an offender is releasing to some type of supervision, the contractor must advise the offender to report to the USPO within 72 hours of release from the CCC.

2. RELEASE DOCUMENTS. The contractor shall verify all release documents with the CCM three days prior to release. The contractor shall ensure all releasing documents have original signatures, are dated and appropriately distributed. The contractor is responsible, but not limited to the following:

- Parole Certificate,
- Mandatory Release Certificate,
- Special Parole Term Certificate,
- Conditions of Supervision,
- Notice of Release and Arrival, or
- Notice to the U.S. Attorney of Release of Inmate with Criminal fine.

3. RELEASE CLOTHING, FUNDS, AND TRANSPORTATION. The BOP provides release clothing, funds and transportation at the time an offender is transferred from an institution to a CCC.

In unusual circumstances due to the location of the CCC or the conditions of an offender's confinement in a CCC, the need may arise for the contractor to provide release clothing, funds, and transportation for releasee. When these rare occasions arise, the contractor shall develop and submit an itemized plan for an offender's release clothing, funds, and transportation needs to the CCM for approval prior to release. If approved, the contractor will provide the release funds, clothing, and make the necessary transportation arrangements for the offender. Documentation, e.g., paid invoices, shall be forwarded with the monthly billing. The contractor will be reimbursed by the Government for CCM approved release clothing, funds, and transportation.

4. TERMINAL REPORT. The contractor shall complete a terminal report on all releasing offenders within five working days of release. It shall follow the Case Notes format and shall include, in addition, the following:

- A description of adjustment;
- A prognosis for future adjustment,
- Suggestions on how the offender could have been

better prepared for his/her placement in the CCC,
- Final status of offender's money, i.e., obligation payments, savings; and
- Release plans, including: (a) residence, (b) employment and (c) salary.

Distribution: original to CCM, copy to the USPC (if applicable), and a copy to the appropriate USPO.

5. PROPERTY. The contractor shall establish and maintain procedures to dispose of an offenders' personal property in event of death, escape or transfer. Inventory must be accomplished by no less than two staff, each of whom will sign and complete an inventory list. Property shall be secured and inventoried as soon as possible following death, escape or transfer. Personal property left behind by an escapee shall be considered voluntarily abandoned. The contractor shall contact the CCM for instructions. If an offender is being held in a local jail, whoever was listed to be notified on the intake screening form will be advised to pick up the property after the property is released by the investigating officers, if applicable.

6. FILES. Upon completion or termination of the offender's program, the contractor shall forward the file to the CCM along with the terminal report within five calendar days of the offenders release. The contractor may retain public information which can identify the former offenders, copies of research data which have been depersonalized and copies of reports generated by the contractor.

CHAPTER 16 - Escape Procedures

Escape procedures begin when an offender arrives at the CCC by informing the offender of the consequence of an escape. A CCC is commonly called a "halfway house" which indicates the offender is not in prison, nor has total freedom in the community. Rather, the CCC is halfway between prison and the community. Residency in the CCC is a major adjustment for the offender and it will be very difficult. The contractor shall develop programs that will assist the offender in meeting the challenges residency in a CCC will present.

The contractor shall develop and use a lecture/presentation program that communicates the importance of offender accountability. This lecture/presentation shall be given during the offender's admission and orientation period, ordinarily during the first two weeks.

The lecture/presentation at a minimum will include information about decision making; accepting the consequence of the decisions; personal accountability; personal management of challenges presented to the offender during CCC residency; resource person(s) who will assist the offender in meeting these challenges; consequence of escapes; sign-in/sign-out procedures, pass and furlough procedures; component assignment; and appropriate behavior both in the community and CCC.

1. ESCAPE.

a. Define. An escape means an offender who fails to report to the facility for admission at the scheduled time; fails to remain at the approved place of employment or training during the hours specified by the terms of the employment or training/treatment program; fails to return to the facility at the time prescribed; fails to return from an authorized furlough or pass at the time and place stipulated; fails to abide by the residence, employment or curfew conditions of home confinement; is arrested; or otherwise leaves without permission from staff.

Offenders under supervision (USPO cases) are not in the custody of the BOP and cannot be considered escapees. These offenders are referred to as "absconders." When they are deemed missing or escaped, the contractor shall immediately report to the supervising authority, i.e., USPO. The contractor shall notify the CCM of USPO absconders no later than the next calendar day.

b. Staff Action. The contractor shall provide written procedures that ensure that all staff understand and appropriately report an escape. These procedures will specifically instruct staff when an offender is considered missing, i.e., not at their approved location. These procedures shall include instructions to determine that the offender is not

in the facility and provide reasonable attempts to locate the offender.

The contractor shall develop a step-by-step procedure that covers the following: internal notification; a thorough search of all areas inside the facility; telephone contacts where the offender has signed-out; and telephone inquires to determine if the offender has been arrested or injured. This should ordinarily take less than 20 minutes. If all efforts to locate the offender have failed, the contractor shall consider the offender as ESCAPED and **immediately notify the CCM.**

The contractor in each instance of escape from a furlough, a CCC or other authorized community-based program shall also **immediately notify the CCM.** The contractor shall prepare an incident report and conduct a disciplinary hearing in the offender's absence.

c. Fiscal Impact. The BOP does not pay the contractor for the day of escape.

d. Preventive Measures. The contractor shall notify the CCM anytime when an offender's behavior or poor programing makes them an escape risk. The contractor shall train staff to recognize and report these instances. Some indicators may include frequent tardiness, misconduct, or continued disrespect toward peers and staff. The intent is to apply intervention measures to prevent the offender from escaping.

If an offender receives an incident report that may cause program failure, the contractor shall contact the CCM prior to issuing the report. The CCM will consider coordinating the issuance of the report with the USM's apprehension of the offender.

The contractor shall allow any offender, who has been determined to have escaped by the contractor, to return to the facility. In this instance, the contractor shall immediately notify the CCM so that an appropriate action plan can be determined.

CHAPTER 17 - Serious Illness, Injury, or Death

The contractor shall notify the CCM when an offender becomes seriously ill, requires emergency medical treatment or dies. The CCM will notify the offender's family or next of kin.

Immediately upon the death of an offender, the contractor shall assemble and advise the CCM of the following information concerning the deceased offender:

(1) Name, register number, date of birth;
(2) Offense and sentence;
(3) Date, time, and location of death;
(4) Apparent cause of death;
(5) Investigative steps being taken, if necessary;
(6) Name and address of survivor or designee;
(7) Notifications made;
(8) Status of autopsy request; and
(9) Brief medical history related to death.

The contractor shall arrange for two rolled sets of fingerprints of all fingers and the thumb of the right hand to be taken, and staff shall date and sign the fingerprint card to ensure positive identification has been made. The fingerprint card shall then be sent by certified mail to the CCM.

If death is due to violence, accident surrounded by unusual or questionable circumstances, or if death is sudden and the deceased was not under medical supervision, staff shall notify appropriate law enforcement officials of the local jurisdiction. The purpose of this notification is to review the case and examine the body, if necessary.

When there is no longer an official interest in the body, it may be turned over to family members or next of kin. Should the family decline the body or be unable to afford funeral expenses, the contractor shall contact the CCM for disposal instructions.

Personal property of a deceased offender will be inventoried and forwarded to the person to be notified in case of emergency on the intake screening form.