Justifiable physical force is the minimum degree of force used to control the situation.

All employees shall use only the force necessary to control the situation. They shall not use excessive force. The contractor shall immediately report any instance of the use of physical force to the CCM, by the most expeditious means available, e.g. telephone. The contractor shall submit in writing, within one calendar day after the incident, a carefully documented written report to the CCM.

g. The BOP strictly prohibits contract employees and offenders from using or possessing any lethal weapon, pepper spray or other self-defense type of chemical agent in the contract facility. Offenders shall not posses or use any of these items at any time.

6. SEXUAL ABUSE INFORMATION. The contractor has the responsibility to provide a working environment that is free from sexual harassment and intimidation in accordance with Title VII of the Civil Rights Act of 1964, as amended. Sexual abuse/assault/misconduct is verbal or physical conduct of a sexual nature directed toward an offender or employee by another offender, employee, or volunteer of the facility.

The contractor shall ensure that policy prohibits sexual abuse/assault/misconduct by employees against federal offenders or other employees. Sexual misconduct is illegal and a violation of federal law.

The contractor shall develop and implement a comprehensive staff training program addressing the facility's sexual abuse/assault/misconduct prevention and intervention program. Written policy, procedure, and practice shall provide that all staff receive such training during employee orientation and on an annual basis as part of the facility's in-service training plan.

7. VOLUNTEERS. The BOP encourages the use of volunteers. Contractors will use volunteers to provide a variety of programs, such as marriage and family enrichment, substance abuse education, literacy, spiritual growth, recreation, health education, fitness, vocational training and many others. While providing these valuable services, volunteers reinforce the societal values conveyed daily by staff. Direct volunteer assistance is useful to an offender's successful community reintegration.

Volunteers are private citizens or students, age 18 or older, who provide a variety of unpaid services that would not otherwise be performed by a paid employee.

Board of Zoning Adjustment
District of Columbia
CASE NO. 16998
EXHIBIT NO. 64A4

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Volunteers are private citizens or students, age 18 or older, who provide a variety of unpaid services that would not otherwise be performed by a paid employee.

Volunteers who provide services in a CSC under the direct observation and supervision of paid staff will not need to undergo any security background clearances.

Volunteers at a CSC who provide services without any direct supervision must submit to the same background checks as paid staff. In addition, the contractor shall have the volunteer complete the BOP form entitled APPLICATION FOR VOLUNTEER SERVICE to the CCM. The contractor shall report the number of volunteers quarterly to the CCM.

The contractor shall provide a brief orientation program for all volunteers and provide specific written guidance in the format of a "Volunteers Manual."

CHAPTER 3 - Facility

The facility shall comply with applicable local, state, and national health, safety, environmental laws, regulations, and Executive Orders, and building codes. In the event local, state, and national codes conflict, the most stringent will apply. The contractor shall adhere to the requirements of: the Architectural Barriers Act of 1968 as amended; Rehabilitation Act of 1973 as amended and sections 502 and 504; Americans With Disabilities Act (ADA) of 1990 as amended; Uniform Federal Accessibility Standards (UFAS); the National Fire Codes published by the National Fire Protection Association with special emphasis on the 101 Life Safety Code; Occupational Safety and Health Act of 1970 as amended; U.S. Food and Drug Administration, U.S. Public Health Service, Food Code; Occupational Safety and Health Administration's (OSHA) General Industry Standards; American National Standards Institute (ANSI) A-117.1, as determined by the local building inspector general; Building Official Code Administrators (BOCA) section 404.1 entitled Minimum Plumbing Facilities; American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) Published Standards & Guidelines; American Society of Sanitary Engineering Standards; Uniform Plumbing Code; 16 CFR §1632, Standard for the Flammability of Mattresses and Mattress Pads (FF 4-72, Amended); Current Edition; Flammability Standard DOC-FF-472; California State Technical Bulletin 106; NFPA Codes 1, 10, 13, 13R, 25, 70, 96, and 101; and any other codes or regulations indicated in the SOW.

The contractor shall maintain copies of all required environmental permits and registrations or letters from permitting authorities indicating that the facility is in compliance or is specifically exempt from the standard in question. The contractor shall make these documents available on-site and to the BOP upon request.

1. SITE & FLOOR PLANS. Each technical proposal shall include a professional copy of the site and floor plan for the proposed facility in accordance with the requirements in this section. Each technical proposal shall also include an accurate photograph, taken within 120 days of proposal submission, showing the front and back outside view of the facility.

The contractor shall submit to the CCM for approval any request to change the site or floor plan from what was approved in the contract. The contractor will maintain and make available an accurate site and floor plan on-site at all times for the inspection of the BOP. These plans shall meet the requirements stated in this section.

a. Site. The contractor shall submit half size prints for site plans (Scale of original document: Minimum 1" = 100 feet) showing:

•The location of buildings, roads, fences, parking lots, walkways, and adjacent buildings, identifying their function.

b. Floor. The contractor shall submit half-size prints for architectural floor plans of each building (Scale of original document: 1/8" = 1 foot) showing:

•Layout, name and function of all rooms;
•Bed location, number of bed(s) in each room;
•Show unencumbered space area per occupant and indicate square footage;
•Location of fire suppression equipment;
•Total gross square footage of entire facility;
•Total gross square footage of each room;
•Area of safe refuge; and
•All building entries and exits.

The contractor shall also identify in the floor plans the exact location and dimensions of sleeping room(s), counseling room(s), lavatories, dining room(s), fire exits, and kitchen(s).

2. LOCATION. The contractor shall locate the facility within one mile of public transportation, or the contractor shall provide transportation for offenders to seek employment, work, and participate in program activities at no cost to the offender.

The contractor shall locate the facility in an area where the commuting time to the general area of work is ordinarily no more than one and one-half hours each way via public or contractor provided transportation.

The contractor shall arrange for transportation for indigent offenders seeking employment at no cost to the offender.

The facility shall not be part of a building which houses any other business, serves alcohol or provides some type of entertainment. The BOP strictly prohibits the use or possession of alcohol in the contract facility. The contractor shall ensure the building is appropriately zoned. The contractor shall maintain a permit from the local or state enforcement body or authorized representative having jurisdiction to operate. The contractor shall make these documents available on-site and to the BOP upon request.

3. PLANT REQUIREMENTS.

a. Air Circulation. The facility's sleeping rooms shall have adequate ventilation of outside or recirculated filtered air. The BOP authority having jurisdiction determines if adequate natural or mechanical ventilation is present.

b. Lighting. All personal living and sleeping areas in the facility shall have lighting of at least 20 foot candles. Lighting in washrooms and resident grooming areas shall have lighting of at least 30 foot candles. Illumination for walk-in refrigerator, freezer, closet and/or storage areas shall be at least 10 foot candles.

c. Space. A minimum of 25 continuous square feet of unencumbered space per occupant in the sleeping rooms shall be provided. The contractor shall ensure that the square footage area is not obstructed by any object, e.g., bed, furniture, or fixed building structure, and allows a reasonable person enough space to freely move about. The sleeping room area shall provide reasonable privacy to the offender; however, it shall be accessible to staff at all times. Areas such as day rooms, closets, bathrooms, TV rooms, dining rooms, or halls shall not be considered as sleeping rooms.

The contractor shall provide each offender with a bed and one closet or metal locker which provides for adequate space and is adjacent to or located in their sleeping area for the storage of personal items. Adequate space means an area which provides a reasonable person enough room to store personal clothes and hygiene articles. The contractor shall always have instant access to all closets and metal lockers for reasons of security and safety.

Co-correctional facilities shall provide for separate sleeping, bathing, and toilet areas by gender. The contractor shall provide reasonable control for appropriate separation of offenders by gender. If the facility is co-correctional, the contractor shall indicate separate sleeping, bathing, and toilet areas by gender on the architectural floor plans.

The contractor shall provide appropriate space and furnishings for private counseling sessions, group meetings, visits, and recreation.

The contractor shall indicate in the technical proposal that the facility is accessible to persons with disabilities, or provide a contingency plan to make the facility accessible. If a contingency plan is needed, the contractor shall address all deficiencies and specify a date when the facility will meet the requirement. If the targeted completion date is post-contract award, progress shall be reported annually to the CCM in conjunction with the contractor's annual review.

d. Lavatory. The facility shall have at least one operable toilet for every ten offenders, one shower (or bathing area) for every eight offenders, and one wash basin for every six offenders. If the facility is co-correctional, the contractor

shall provide the same lavatory accommodations for the females, separate from the males.

Showers and wash basins shall have hot and cold water. Hot water temperature shall be thermostatically controlled so the water does not exceed 120° Fahrenheit (49° Celsius), except for food service equipment. Temperature control devices shall be inaccessible to offenders and unauthorized personnel.

e. Laundry. Laundry facilities shall be available to all offenders. The contractor shall provide one operable washer and dryer for every 16 offenders in the facility or through a community establishment within one mile of the facility. The contractor shall provide laundering services at no cost to federal offenders.

f. Telephone. The contractor shall provide the offenders telephone service which is accessible on the facility's premises. The use of pay telephones is acceptable. The contractor will provide at least one telephone for every 10 offenders.

g. Room Temperature. The contractor will maintain the temperature at a level appropriate for the season.

h. General. The site of performance shall not operate as a hotel or motel.

The interior of the contract facility shall be a non-smoking area and signs shall be conspicuously posted indicating this requirement. The contractor may designate smoking areas outside the contract facility at least 10 away from all entrance and exits.

I. Drinking Fountains. The contractor shall provide drinking fountains in the facility in accordance with BOCA, ADA and the Clean Water Act. The facility shall have at least one drinking fountain for every 100 occupants.

CHAPTER 4 - Life/Safety

Any structure used to house federal offenders must meet specific fire and safety standards before it can be approved by the BOP. In applying these standards, the safety and welfare of both staff and offenders must be considered. The contractor shall maintain an acceptable level of fire and life safety by complying with the most current edition of applicable fire safety codes, standards and regulations of the National Fire Protection Association (NFPA).

The contractor shall comply with the most current version of the following NFPA codes and standards:

- NFPA 1: Fire Prevention Code
- NFPA 10: Standard for Portable Fire Extinguishers
- NFPA 13: Standard for the Installation of Sprinkler Systems
- NFPA 13R: Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and including Four Stories in Height
- NFPA 25: Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems
- NFPA 70: National Electric Code
- NFPA 72: National Fire Alarm Code
- NFPA 96: Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations
- NFPA 101: Life Safety Code
- NFPA 260: Standard Methods of Tests and Classification System for Cigarette Ignition Resistance of Components of Upholstered Furniture
- NFPA 261: Standard Method of Test for Determining Resistance of Mock-Up Upholstered Furniture Material Assemblies to Ignition by Smoldering Cigarettes
- NFPA 701: Standard Methods of Fire Tests for Flame Propagation of Textiles and Films

BOP reserves the right to act as the Authority Having Jurisdiction (AHJ) with respect to the interpretation, enforcement, and waivers of the NFPA requirements. All applicable NFPA requirements are mandatory.

The contractor shall also comply with the most current version of the following California State Technical Information Bulletins, published by the California Bureau of Home Furnishings and Thermal Insulation: Bulletins 106, 116, 117, 121 and 133. The BOP reserves the right to act as the AHJ with respect to the interpretation, enforcement, and waivers of these requirements.

1. INSPECTION. The contractor shall maintain a current independent third party certification that all buildings used to house federal offenders are in compliance with NFPA 101. In addition, the contractor shall have each building inspected

annually by a local or state AHJ. Inspection reports shall be retained and made available to the BOP to indicate the inspections were completed in a timely and appropriate manner.

2. FIRE EVACUATION AND EMERGENCY PLANS. The contractor shall maintain current written emergency plans. These plans shall be available and reviewed by all staff annually. The contractor shall document the review and make this available on-site for BOP inspection.

The plans shall describe the procedures to follow in emergency situations, and be updated on an as-needed basis. The contractor shall submit to the CCM a current copy of the emergency plans after contract award and before the notice to proceed performance is given by the CO. The contractor shall forward any subsequent changes or updates to the emergency plans to the CCM. The intent is that both the CCM and the contractor will have a set of current procedures to use if an emergency occurs.

The contractor shall ensure all emergency contact telephone numbers and addresses are up-to-date and valid.

The plans shall identify potential emergency situations such as a fire or major emergency (including man-made and natural disasters) and outline appropriate action which ensures offender accountability and safety. At a minimum, the plans shall include instructions for the following:

- Immediate notification to the fire department;
- Facility and community search for missing offenders;
- Automated information backup procedures (if needed);
- Utility services interruption, i.e., water, gas, power;
- Evacuation in case of fire;
- Procedures in the event of man-made or natural disasters;
- Evacuation routes and procedures;
- Immediate notification of community emergency response teams;
- Notification of authorities, including internal and external; and
- Control or extinguishment of a fire.

a. Emergency Evacuation Training. The contractor shall train all staff in emergency procedures within one week of their initial employment. In addition, the contractor shall include emergency training in annual refresher training. The contractor shall document all training.

b. Diagramed Evacuation Routes and Drills. The contractor shall post diagramed evacuation routes at a conspicuous location on every floor or level of the facility. The contractor shall not use the site and floor plan for this requirement. The diagram shall meet NFPA requirements.

A diagramed emergency evacuation route shall identify "You Are Here" location and be compatible with the floor plan. This diagram shall also show the exterior areas around the facility and indicate outside areas of the facility used as assembly points or other areas of safe refuge during an emergency evacuation or drill.

The diagram shall include the location of building exits, fire extinguishers, pull-stations, fire hose cabinets, and first aid supplies. It will also show areas of safe refuge from inclement weather.

The contractor shall review all emergency and evacuation procedures, including diagramed evacuation routes, with each new offender upon arrival.

The contractor shall conduct at least one monthly evacuation drill during the hours when most offenders are in the facility. Documentation of each drill shall include how the evacuation alarms were activated, date and time of the drill, amount of time taken to evacuate the building, evacuation path used, number of staff and offenders participating, and comments.

c. Fire Alarm Systems. All buildings used to house federal offenders must be equipped with an automatic fire detection and alarm system designed, installed, tested, and maintained in accordance with NFPA. The system design must incorporate hard wired smoke detectors in all sleeping rooms, corridors, and common areas. The alarm system must be hard wired into an annunciator panel, located at a central control point under 24-hour staff supervision.

d. Fire Extinguishers. Buildings used to house federal offenders must be equipped with an adequate number of portable fire extinguisher that are sized, located, installed, tested, and maintained in accordance with NFPA. At least one extinguisher must be provided on each level of the building.

3. FURNISHINGS. Combustible and flammable fuel load sources shall be kept to a minimum to prevent the possible spread of fire. The contractor's furnishings shall meet the standard test requirements in the California State Technical Information Bulletins.

All mattresses, mattress pads, and pillows throughout the facility shall meet the Flammability Standard DOC-FF-472 or Federal Flammability Standard 16 CFR §1632. The contractor shall maintain documented compliance of this requirement.

Interior furnishings such as window covers, curtains, sofas, chairs, etc., shall meet the requirement of all NFPA standards. These are to be considered minimum requirements.

The contractor shall maintain documentation of compliance with NFPA standards.

NOTE: These requirements apply to the entire structure, even when federal offenders occupy only a portion of the facility. An exception is when the area housing federal offenders is separated from other areas of the building by a two-hour fire wall which meets the approval of the AHJ.

CHAPTER 5 - Sanitation & Environment

1. SANITATION. An aggressive, well-defined sanitation and housekeeping plan is of utmost importance for the protection of health and well-being. In addition, proper sanitation throughout the facility complements fire and pest control efforts. All too often, failure to maintain an aggressive program results in preventable accidents, injuries, and personal liability.

The contractor shall maintain a written sanitation and housekeeping plan which provides for the upkeep of the facility. The plan shall be made available to the BOP upon inspection.

The housekeeping plan shall assign specific duties and responsibilities to staff and offenders. The plan shall address the following:

- The contractor shall ensure the facility and surrounding area are kept clean and in good repair at all times.

- Sidewalks leading from the exits shall always be clear of materials, debris, ice, and snow.

- The contractor shall document weekly sanitation and safety inspections of all internal and external areas and equipment. Documentation shall indicate corrective action to be taken on discrepancies found during these inspections. The action will be done in a timely manner.

- Waste containers shall be of noncombustible or other approved materials.

- Filters on furnaces and ventilation systems are to be exchanged and kept clean per manufacturer's requirement. The contractor shall not allow the ventilation system ducts and vents to accumulate excessive dust and dirt build-up.

- The contractor shall equitably assign general housekeeping chores of common areas to all offenders.

The contractor shall maintain a high standard of sanitation and environmental health throughout the facility. Offenders are not permitted to perform work for the contractor, except as part of the sanitation and housekeeping plan. The contractor may require offenders to maintain high sanitation in their living areas. This includes sweeping and cleaning their sleeping areas, recreation or day rooms, bathrooms and showers, passages and hallway areas. "Extra Duty" to clean an area of the facility could be imposed for minor rule infractions in accordance to the chapter on discipline. The contractor will not use offenders in lieu of paid workers.

2. ENVIRONMENT. The contractor shall establish and conduct a comprehensive environmental and pollution prevention program to use source reduction techniques and sound recycling practices in accordance with state or local ordinances. If there are no state or local ordinances in place, the contractor shall develop an environmental awareness program for offenders.

CHAPTER 6 - Electrical Safety

The contractor shall comply with all local, state, and national electric codes to include National Electric Code (NEC) and OSHA standards. In the event local, state, and national codes conflict, the most stringent will apply.

1. GROUND FAULT CIRCUIT INTERRUPTER (GFCI). The contractor shall use GFCIs on all 110 Volt, single phase outlets in the laundry, kitchen, and bathroom areas within 180 centimeters (5.9 feet) of a water source. GFCI wiring shall be 14 gauge with ground. Standard wiring is usually 12 gauge with ground.

2. PANEL BOX. Electrical panel box covers shall contain an accurate directory. The directory shall reference the disconnecting means of electrical equipment, such as the breaker switch, and indicate the area which it controls.

3. EXTENSION CORDS. The contractor shall not use extension cords in lieu of hard or permanent wiring and shall not allow offenders to use extension cords.

4. RECEPTACLES. Wiring and receptacles must be grounded. Two-wire outlets may not be used.

5. FLOOR SPACE HEATERS. Floor space heaters and hot water "stingers" are unsafe from the standpoint of fire safety. The contractor shall not use or allow the use of these devices in the CSC.

6. FANS. Appropriate guard grids on oscillating or floor fans shall be in place.

7. ELECTRIC SAFETY. The following electrical safety standards shall apply:

a. Damaged or frayed wiring cannot be taped or spliced. The use of electrical tape to repair cut or damaged cords or cables is prohibited. Cords and cables must be repaired by the proper means, e.g., use of heat shrink tubing, re-installation of cords or cables to equipment. Bare wire may not be exposed.

b. Empty light fixture or fuse sockets may not be exposed or unprotected. Missing knock-outs, circuit breakers, or other openings in electrical equipment must be enclosed to prevent exposure to live or energized parts.

c. The use of multi-outlet electrical adapter plugs is prohibited.

d. Damaged plate covers, switches, and outlets must be replaced.

CHAPTER 7 - Hazardous Materials

The contractor shall establish and use a written plan for the storage, issuance, handling, and accountability of flammable liquids, hazardous chemicals, toxic, and caustic materials used within the facility.

The contractor will also address universal precautions in regards to blood and body fluids. All body fluids are to be considered as potentially infectious.

The Environmental Protection Agency (EPA) and OSHA establish standards for the proper handling and use of toxic, caustic, and flammable materials. When using hazardous materials at the facility, the contractor shall provide protective clothing at no cost to the offender in accordance with the Material Safety Data Sheets (MSDS).

Activities which are implemented, in whole or in part, with federal funds must comply with applicable legislation and regulations established to protect the human or physical environment and to ensure public opportunities for review. The contractor shall remain in compliance with federal statutes during the performance of the contract, including but not limited to the Clean Air Act, Clean Water Act, Endangered Species Act, Resource Conservation and Recovery Act, and other applicable laws, regulations, and requirements.

The contractor shall be responsible for and shall indemnify and hold the Government harmless for any and all spills, releases, emission, and discharges of any toxic or hazardous substance, any pollutant, or any waste, whether sudden or gradual, caused by or arising under the performance of the contract or any substance, material, equipment, or facility utilized therefore. For the purposes of any environmental statute or regulation, the contractor shall be considered the "operator" for any facility utilized in the performance of the contract, and shall indemnify and hold the Government harmless for the failure to adhere to any applicable law or regulation established to protect the human or physical environment. The contractor shall be responsible in the same manner as above regardless of whether activities leading to or causing a spill, release, emission or discharge is performed by the contractor, its agent or designee, an offender, visitor, or any third party.

If the contractor spills or releases any substance into the environment, the contractor shall immediately report the incident to the CO through the CCM. The liability for the spill or release of such substances rests solely with the contractor and its agent.

The contractor shall at no time dispose of hazardous, toxic or caustic substances by unsafe methods. Unsafe methods include spreading or pouring it onto the ground, dumping in a lake, river or stream, and flushing into sewers.

1. TRAINING. The contractor shall train all staff in the proper handling and use of all hazardous, toxic, caustic, and flammable materials within two weeks of their initial employment or whenever a new hazard is introduced into their work area and annually thereafter.

All offenders shall receive training during intake screening. If controlled materials are issued to an offender for authorized use, the offender shall sign an acknowledgment specifying they understand the proper use of the material as well as its potential health hazards. The contractor shall document all training. Training shall include:

- Methods that may be used to detect the presence or release of hazardous materials in the facility;

- The potential health hazards of chemical spills in the work area;

- The measures employees and offenders can take to protect themselves from these hazards, including procedures such as universal precautions and personal protective equipment;

- The details of the hazard plan developed by the contractor, including an explanation of the labeling system and the MSDS, and how employees and offenders can obtain and use the appropriate information regarding hazardous materials.

2. MSDS. When using an identified hazardous material, the contractor shall obtain and maintain the MSDS (OSHA-174 Form or its equivalent) for that material. MSDSs shall be maintained and readily accessible to staff and offenders. The MSDS lists information about the storage, use, and disposal of the material, and those requirements shall be followed.

Staff shall review annually the MSDS to ensure that it is current. Staff shall document this review and make it available to the BOP upon inspection.

3. MANAGEMENT. The contractor shall provide a method of accountability and supervision for chemicals and hazardous materials. Employees shall continually demonstrate to offenders the proper use of these materials.
Offender personal hygiene items are exempt from this requirement.

NOTE: Flammable materials such as gasoline, kerosine, and paint thinner are stored outside of the main facility, unless otherwise indicated by the AHJ.

The contractor shall provide a level of supervision required for chemicals and hazardous materials determined by the level of hazard labeling. The MSDS will outline the precautions to be used for each chemical.

The contractor shall use good judgement when making decisions regarding the use and storage of chemicals and hazardous materials. The intent is to manage chemicals and hazardous materials in accordance with governing regulations while providing a safe environment for both offenders and staff members.

CHAPTER 8 - Pest Control & Waste Management

1. PEST CONTROL. The EPA has set standards for pesticide handling and use. These include such areas as record keeping, storage and disposal procedures, filling and mixing methods. The intent is to help make pesticide use safer for people and the environment.

State laws also govern pesticide use. Both federal and state laws and regulations apply to any person using pesticides within a state. In some cases, it may be feasible for the contractor to contract for these services through a licensed exterminator. However, the best method of pest control is the establishment and maintenance of good housekeeping practices.

The contractor shall provide for vermin and pest control and disposal. Control and accountability of pesticides and rodenticide are mandatory.

In addition, the contractor shall store pesticides in a cool, dry, and well ventilated room which can be locked. The contractor shall also store all pesticides in their original containers.

Triple rinse all empty pesticide containers before disposing. Disposable aerosol containers are not to have any "charge" remaining in them at the time of their disposal.

The contractor shall place screens in good condition on all open windows and doors throughout the contract facility to include food preparation and dining areas.

2. WASTE REMOVAL. The contractor shall provide noncombustible containers in such sizes and quantities needed to be sufficient for trash collection.

Remove trash at least daily from inside of the facility. The contractor shall ensure that all garbage is removed from the facility property to ensure sanitation and to prevent accumulation, odors and pest control problems. The contractor is responsible for all trash removal.

CHAPTER 9 - Referral and Intake Processing

The contractor shall have written policy and procedures governing offender referral and intake processing.

The contractor should be able to manage any offender referred by the CCM. However, due to the unique circumstances and complexities which the contractor may face, the contractor shall submit a criteria for rejecting referrals as part of their technical proposal. The CCM will consider this established rejection criteria along with the criteria published in the most recent version of BOP P.S. entitled COMMUNITY CORRECTIONS CENTER (CCC) UTILIZATION AND TRANSFER PROCEDURES when making referrals to the contractor. The contractor shall not discriminate against offenders based on race, color, religion, sex, national origin, physical or mental disability, medical diagnosis or infectious disease, age, retaliation, or sexual orientation.

The contractor shall accept only offenders who are approved by the CCM. Acceptance of a federal offender without the CCM's approval may result in non-payment and jeopardize the contractor's performance under this contract.

1. REFERRALS. The contractor shall consider all offenders for placement at the facility. The CCM will forward a referral packet to the contractor requesting a specific placement date. Within no more than five calendar days of receipt of the referral packet, the contractor shall in writing notify the CCM whether the referral is accepted or rejected.

> NOTE: To help expedite the referral process, the contractor shall telephonically discuss with the CCM any referral considered to be unacceptable.

a. Acceptance. The contractor shall fax a copy of the acceptance letter to the CCM confirming the reporting date. If the reporting date differs from referral packet, the contractor must obtain concurrence from the CCM before notifying the referring agent of the acceptance.

1) Transferring from a BOP institution. The contractor will send the acceptance letter, subsistence collection agreements, and CSC rules and regulations to the offender in care of the Unit Manager as indicated in the referral packet.

2) Direct court commitment. The contractor will send the acceptance letter, subsistence collection agreements, and CSC rules and regulations directly to the offender.

3) Supervision case. The contractor will send the acceptance letter, subsistence collection agreements, and CSC

rules and regulations directly to the offender with copies to USPO.

b. Rejection. The contractor shall specify in writing their reason(s) for rejecting the referral. The expectation is that the contractor will reject a referral only in accordance with the rejection criteria established in the contract.

The reason(s) for rejection shall be immediately faxed to the CCM. The contractor shall mail an original signature copy of the rejection to the CCM. The contractor shall not delegate the decision to reject a referral below the level of the facility director.

2. ADMISSION. The contractor shall develop an intake process. Immediately upon an offender's arrival, staff shall interview the offender to determine if there are non-medical reasons for housing the offender away from the facility's offender population. Staff shall conduct the interview in private away from other offenders. Staff shall evaluate both the general physical appearance and emotional condition of the offender. In addition, the interview shall inform the offender about the CSC rules and regulations such as a contact person regarding incidents of sexual abuse/assault, discipline, curfew, visiting.

When an offender is indigent, the contractor shall provide personal hygiene articles at no cost to the offender. Examples include, soap, toothbrush, toothpaste or powder, comb, and toilet paper. If the contractor accepts women, the contractor shall also provide products for female hygiene needs.

Upon arrival, the contractor shall issue each offender one complete set of clean bed linens and towels. The contractor shall provide for the exchange or laundering of these items on a weekly basis, at no cost to the offender.

In addition, staff shall review available documents, e.g., Judgement/Commitment Order from the sentencing Court, criminal records, presentence investigation reports, for any indication that an offender has a history of sexually aggressive, violent or escape behavior. The contractor shall report these behaviors to the CCM.

a. Notification. When an offender reports to the CSC for admission, the contractor shall immediately notify the CCM using either a fax or telephone. This includes arrivals during the evening hours, weekend, or holidays. The CCM may specify a means for immediate notification. The contractor shall also send written notification to the CCM within three calendar days. If the reporting offender is a supervision case, the contractor shall, in addition, notify the appropriate USPO.

Should an offender not arrive within two hours of the designated time, the contractor shall immediately notify the CCM that the offender failed to report to the CSC for admission. Accountability is paramount. Any committed offender who fails to report to a contract facility for admission may be placed on escape status.

> NOTE: The federal escape statute applies only to those who escape from the custody of the Attorney General or BOP. An offender housed at a CSC as a condition of supervision is ordinarily deemed not to be in the custody of the Attorney General or the BOP. These offenders may be considered to have absconded rather than escaped. However, some offenders during supervision are in custody and could be considered to have escaped. This can be confusing. To prevent this confusion, the contractor shall immediately report all offenders who fail to report to the CSC for admission to the CCM.

b. Documentation. The contractor will process all required documents and return them to the CCM within five calendar day of the offender's arrival. The contractor will maintain copies of all processed documents in the offender's file.

1) Transfer Orders. For institution transfers, the contractor shall sign and return the Transfer Order (Return of Service) to the CCM within five calendar days of the offender's arrival.

2) Judgement/Commitment Case Order. The contractor shall execute the Order upon arrival of direct court commitments. Staff must sign and date the original Order, indicate the offender's arrival and return the Order to the CCM with a copy to the U.S. Marshal (USM) of the sentencing district.

3) Fingerprints. The contractor shall fingerprint all offenders. If the contractor does not have staff trained in fingerprinting procedures, arrangements may be made with a local law enforcement agency. In this case, staff shall accompany the offender when prints are taken. Staff may contact the CCM for assistance in arranging for fingerprints.

CSCs operated by state correctional or parole agencies shall forward fingerprint cards to the CCM. However, the CCM may authorize the agency to send the cards directly to the FBI.

a) For institution transfers (BOP cases), the contractor shall execute the Authorized Unescorted Commitment & Transfers Identification Card by fingerprinting the offender's thumb in the designated spot. The contractor shall forward the executed card to the CCM within five calendar days of the offender's arrival.

It is critical that staff compare the new thumb print with the thumb print on the card to verify the identity of the offender. Identification is also done by comparing the offender with the photo on the card and questioning the offender about their name, date of birth, offense, and register number.

b) The contractor shall take three sets of fingerprints of direct court commitments (BOP cases) and one set of USPO cases immediately upon arrival. Two sets of the fingerprints of direct court commitments shall be forwarded to the CCM. The remaining set of fingerprints and the one set on USPO offenders cases will be kept in the offender's file at the CSC.

4) Intake Screening Form. The contractor shall complete Attachment B, INITIAL INTAKE FORM, for each offender and place it in the offender's file.

5) Photograph. The contractor shall photograph each offender admitted to the center and retain the photograph in the offender's file and furnish the CCM a copy. This will provide for a recent, clear means of identification, which is especially useful in subsequent matters of investigation, discipline or escape.

6) Conditions of Residential Community Programs. Each offender must sign the BOP form COMMUNITY BASED PROGRAM AGREEMENT. If an offender is transferred from a federal institution, this form should already be in the file, signed by the offender. If the form is absent from the file, the contractor shall have the offender sign the form and place it in the offender's file. This requirement is applicable to all offenders. The contractor shall forward a copy of the form to the CCM.

7) Medical Screening. Offenders committed directly to the facility, including USPO cases, shall receive a medical examination within five calendar days after arrival (institutional transfers are excluded). However, if an offender is suspected to have a communicable or debilitating physical problem, the contractor shall arrange for a medical examination within one calendar day after arrival.

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 a copy to the offender's file.

NOTE: The exam shall include diagnostic procedures for communicable and infectious disease when medical staff makes the determination that testing is clinically

indicated. The exam shall be a general office visit comparable to an "insurance-type" physical and will not require hospitalization. Routine laboratory studies shall include at a minimum a complete blood count (CBC), urinalysis, tuberculin screening tests, infectious disease screening, and serological tests for syphilis.

CHAPTER 10 - Programs CSC

A CSC requires intensive programs that are centered around a team approach. The team consists of facility staff, USPO and CCM.

CSCs provide the terms and conditions to meet the statutory purposes of sentencing, including promoting respect for law, providing just punishment for the offense, achieving general deterrence, and protecting the public from further crimes by the defendant.

1. SECURITY AND ACCOUNTABILITY. The contractor shall provide written policy and procedures on offender accountability and security inspections.

The contractor shall have a comprehensive offender accountability program that ensures every offender is accounted for while in the facility or on home confinement. The contractor shall have a security inspection plan that provides a safe and secure environment for both staff and offenders. The expected results are that continuous offender accountability and safety are maintained through a system of reasonable and accurate controls. The contractor's program shall control the introduction of contraband; insure the facility's safety, security, and good order; prevent escapes; maintain sanitary standards; and eliminate fire and safety hazards.

The contractor shall be able to locate and verify the whereabouts of offenders at all times. Written procedures shall be established to guide staff in meeting this requirement. The contractor will contact the offender either telephonically or in-person at random times, at work, home or authorized destination to maintain accountability throughout the sign-out time(s). This should occur at least twice a day. The intent is to set a frequency that ensures 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.

a. Sign-in/Sign-out. The contractor shall monitor offender movement into and out of the facility. The monitoring of offender movement, particularly during the evening and night hours, serves to protect offenders, staff, and the public.

The contractor shall authorize an offender to leave the facility through sign-out procedures only for an approved program activity such as seeking employment, working, counseling, visiting, or recreation (see Authorized Absences).

The contractor will identify and document all individuals entering or exiting the facility by using a sign-in/sign-out log.

In the event of an emergency evacuation, the contractor shall continue offender accountability as outlined in the contractor's emergency plans.

The contractor shall monitor and control access to the sign-in/sign-out log. The log must provide information such as the offender's name authorized destination, authorized return time and actual return time. The contractor may use an automated system to accomplish this requirement.

In addition a log sheet shall be maintained in each offender's file specific to that offender's movement. It shall contain: offender's full name, register number, type of offender, time-out, destination, purpose, authorized return time, time-in, a section for special comments, and certification by staff's initials for each entry. The intent is to provide a chronological record of the offender's movement. The log sheet and sign-in/sign-out log should compliment each other in regards to identity, authorized destination, authorized return time and actual return time.

The sign-in/sign-out sheet alone is invalid for overnight release or distances of more than 100 miles. In these circumstances, the contractor shall follow the requirements for passes or furloughs.

Offenders shall return to the facility from employment before signing out to participate in another approved program activity. However, the facility director may make an exception when travel time or distance is excessive, or when the offender is working unexpected overtime. These instances are on a case-by-case basis. The intent is to balance the offender's approved program objectives with the offender's requirement to return to the facility. Accountability is paramount and under no circumstances should an offender routinely sign-out for more than 12 consecutive hours daily without returning to the facility.

Ordinarily, only pre-release offenders who are employed, involved in educational or vocational training programs, or considered medically unable to work may be absent from the center for social purposes. Other than for employment, an offender must be in the center from 9:00 P.M. to 6:00 A.M., unless exceptions are made by the facility director on a case-by-case basis. The facility curfew shall always be 9:00 P.M., unless otherwise indicated by the CCM.

Recreational activities are ordinarily provided in the facility. However, if in-house recreation is not possible, alternative recreation will be made available in the community. This will be within walking distance of the CSC and will not be in an area that does not support the mission of the BOP. Offenders, including those in the community corrections component, may sign-out for up to one hour per day to the alternate recreation

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location. The sole purpose shall be for exercise or recreational activity.

b. Report of Incident. The contractor shall report immediately to the CCM, by telephone, all unusual or serious incidents. Serious incidents include, but are not limited to the following: escapes, "standard of conduct" violations, spill of hazardous materials, disturbances, gang activities, work-place violence, civil disturbances or protests, staff use of force, assaults on staff or offenders, fights, fires, suicide attempts, deaths, hunger strikes, natural disasters, adverse weather (e.g., hurricanes, floods, significant ice or snow storms, heat waves, tornadoes), injuries, any law enforcement visits, bomb threats, significant environmental problems that impact facility operations, transportation accidents, offender victim contacts, offender strip searches, adverse incidents that may result in significant publicity, any arrest and/or detainment of offenders by law enforcement authorities. Immediately following CCM notification, the contractor shall fax a report detailing the incident which includes, but is not limited to, the following:

- Type of incident, date and time;
- Person(s) involved (if offender, include register number);
- Notifications (who, date and time);
- Any media attention; and
- Brief summary of incident.

In addition, the contractor shall immediately notify the CCM when an offender shows evidence of suicidal tendencies, or unusual or dangerous behavior. If the contractor is in doubt, they shall contact the CCM.

2. SEARCHES AND CONTRABAND. The contractor shall have written policy and procedures for searches to control contraband and its disposition. The policy shall identify items which are considered contraband at the facility. This policy shall be made available to all staff and offenders.

The contractor shall conduct searches of the facility and personal belongings of offenders (including offenders' vehicles) as needed, but at least once per month. These facility searches shall be documented in a log. The log will be made available to BOP upon inspection.

If any unknown substance resembling narcotics is found, the contractor shall use a Narcotic Identification Kit to determine the identity. The contractor shall maintain a supply of Narcotic Identification Kits (purchased commercially) to determine the identity of the unknown substances. Staff shall be proficient in using the Narcotic Identification Kit and shall ordinarily be responsible for testing unknown substances. The contractor shall

maintain these commercially available kits at the facility to meet this requirement.

The contractor shall train staff on the proper techniques for offender pat, room, vehicle, and common area searches. This training shall be conducted within the first week that the employee is hired and annually thereafter.

When staff believe an offender is attempting to introduce contraband into the facility, they shall conduct a pat search of the offender. A strip search may be conducted only after the facility director has approved the search. If a strip search is necessary, two staff shall conduct the search. Staff shall be of the same gender as the offender. The contractor shall document the basis for and results of the strip search.

Staff shall conduct random pat searches of offenders as necessary. These searches need not be documented. However, they should be appropriate and conducted in accordance with the contractor's policy on searches.

3. THE PROGRAM REVIEW TEAM (PRT). The PRT will consist of one or more representatives of each of the following: 1) the BOP CCM or representative; 2) facility director, caseworker, and Administrator of the Day Reporting Requirement (DRR); 3) USPO.

4. PROGRAM COMPONENTS. The components are community corrections, pre-release and home confinement. The contractor shall initially place all federal offenders in the community corrections component, unless otherwise specified by the Court, PRT or CCM.

There will be gradations of accountability defined in each component. This is referred to as levels. The community corrections and pre-release components provide two levels of responsibility. Home confinement is considered to be the fifth and final level. The levels offer a wide range of control. For instance, under certain circumstances an offender may not be allowed to leave the facility at any time while another offender may be allowed to live at home and report to the facility each week. The level of responsibility and supervision is based on the needs of the offender and the restrictions of the sentence structure. Only the PRT can assign a component and level.

The PRT may reassign offenders, except direct court commitments, from the community corrections component to the pre-release component if they are successfully demonstrating responsibility, successfully programing, and there is no pre-existing direction from the court or CCM.

NOTE: Offenders, except direct court commitments, are expected to be employed within 15 calendars days of

arrival to the facility. Obtaining employment is part of successful programing.

The PRT shall seek the approval of the CCM before assigning the a direct court commitment to the pre-release component. Only the CCM may assign offenders to the home confinement component.

Offenders in all components are provided the same general program resources, but the privileges and supervision requirements range from restrictive to least restrictive. The contractor shall have a thorough understanding of the components, levels and subsequent requirements for each component and level assignment.

a. Community Corrections Component. The community corrections component is the most restrictive. Except for employment, program needs and community service ordered by the Court, an offender is restricted to the CSC. Initial orientation begins at level one unless otherwise indicated by the CCM or PRT.

- LEVEL ONE: This level is punitive and is well suited for sanctioning supervision violators. The BOP, Court or U.S. Parole Commission initially assigns offenders into this level for a specific number of days, not to exceed 30 consecutive days. Visits with the family and significant others will be conducted at the facility. Offenders are denied all access to the community except in emergency situations. Community access requires the advance approval of the USPO, facility director or CCM. Offenders are not expected to obtain employment until they are assigned into the next level.

- LEVEL TWO: This level is appropriate for offenders requiring a high degree of supervision such as supervision and direct court commitment cases. Access to the community for employment, employment interviews, specific treatment that is only available outside the facility, alternate recreation in the community through limited and clearly defined sign-out procedure or emergency situations is available to offenders assigned at this level. Offenders shall visit with family and significant other only at the facility.

Offenders normally remain in this component until they have demonstrated the responsibility necessary to function in the community. When an offender is appropriate for the pre-release component and if the offender is not a direct court commitment or directed to remain in the community corrections component by the Court or CCM, CSC staff shall request PRT approval to assign the pre-release component.

b. Pre-release Component. The pre-release component is designed to assist offenders making the transition from an institution to the community or as a program resource while under supervision. The contractor shall develop programs that increase

privileges, such as volunteer community service. It is generally appropriate to require offenders to be employed before allowing them to be absent from the CSC for social purposes. Offenders in the pre-release component generally have more access to the community and family members through weekend and evening passes in accordance with the Authorized Absences section.

- LEVEL THREE: This level is appropriate for direct court commitments serving sentences of six months or less (NOTE: Direct court commitments must be approved by the CCM to participate in this level) or some supervision cases and institution transfers requiring a high degree of supervision.

The third level allows the offender access to the community for social purposes such as visiting family or significant others, shopping or entertainment. These activities are limited to four hours per week. These activities must be scheduled in advance and approved by the PRT. The offender must specifically outline travel route, destination and time frames. The contractor shall allow additional time for reasonable travel.

- LEVEL FOUR: This level is appropriate for institution transfers and USPO supervision cases. The level allows much greater access to the community, as well as more frequent visits outside the facility with the family or significant others. These offenders have more access to the community and family members through weekend passes and evening sign-out.

c. Home Confinement. The PRT may recommend approval of home confinement to the CCM when home confinement would provide a greater benefit than CSC residency; the offender has a release plan that meets the USPO's approval; and the offender agrees to the conditions of home confinement in accordance with the most recent version of BOP P.S. entitled Home Confinement. The contractor shall review and monitor the telephone bills of an offender in this component to ensure that no service is in place that would circumvent the accountability program. The contractor shall indicate that the current telephone bill is appropriate when making the home confinement referral. To participant, the offender must not present a threat to the community or safety of others.

> NOTE: The contractor shall make maximum use of this component by referring all eligible and appropriate candidates to the PRT and CCM for review.

- LEVEL FIVE: This level is appropriate for institution transfers who need none of the residential services of a CSC. The degree of supervision is outlined by the PRT and home confinement conditions.

Compliance with the conditions of home confinement may be monitored by electronic monitoring equipment approved by the CCM, or by regular telephone and in person contacts by staff. If electronic equipment is proposed, the contractor shall clearly indicate that the equipment is offered at no additional cost to the BOP and costs of the electronic monitoring equipment are not reflected in the cost of the contract.

6. DAY REPORTING REQUIREMENT (DRR). The Day Reporting Requirement (DRR) is a set of additional requirements which may be assigned by the PRT.

Part of the preparation for the DRR will include a meeting with the offender and his family or significant others to explain the expectations and requirements of the program and to answer any questions about it.

The facility director will designate a member of their program/treatment staff to administer this program. This individual will be a member of the PRT and is considered to be the DRR Administrator.

The DRR administrator will provide orientation to each new participant explaining the rules of the program and obtaining a signature on a contract or agreement. The facility director will also provide orientation to the program, family or significant others.

The facility director or DRR administrator will be accessible for the participants in person during the following hours:

Monday through Friday- 7:00 A.M. to 9:00 P.M.
Saturday and Sunday- noon to 6:00 P.M.

The facility director may also appoint other staff who are familiar with the DRR to cover hours the facility director or DRR administrator cannot cover. Either the DRR administrator or facility director shall be in the facility on Sunday to cover administrative functions of the program.

The contractor will make it possible for participants to contact DRR staff during all other hours either through a message or pager system. If message system is used, DRR staff will access the messages frequently.

The contractor shall require each participant to report to the facility at least once each day in accordance with the Authorized Absence section. Normally this is either before or after work or a counseling/treatment session.

All program areas such as substance abuse education and treatment, life/family skills, employment counseling are to be made available to all DRR participants as directed by the PRT.

DRR participants will be required to continue drug and alcohol testing as required by the PRT.

On Sunday, offenders shall provide their itinerary for the week, including, but not limited to, each planned destination and the route to be taken getting there and the expected times at each location. The DRR administrator or facility director shall review this with the offender, make any needed modifications and approve it, if appropriate.

Each day, when the offender arrives at the facility, the offender will review the itinerary for changes. If the offender initiates a change, they must obtain approval from the DRR administrator or facility director before it is accepted.

The offender shall report by telephone to the DRR staff at least once a day. This is in addition to the daily face-to-face meeting requirements.

Using the daily schedule, the DRR staff shall telephone the offender at random times no less than twice per day, either at work or home. This is over and above the offender generated telephone call. The frequency of staff to offender telephone calls may be modified up or down by the CCM.

The PRT may structure the program so the offender may be credited for compliance with program requirements by earning "leave," i.e., time that is less rigidly structured and approved in advance. These activities must meet the offender's overall program objective.

The DRR staff shall hold the participants accountable for their compliance with rules of the DRR and facility. A violation may be sanctioned by formal disciplinary action as outlined in disciplinary chapter of the SOW. However, the PRT may at any time modify the conditions as deemed appropriate.

The DRR staff shall make at least one home visit per week to the offender's residence. This shall include contact with other adults living in the offender's residence to assure their continued understanding of the program and its requirements, to answer any questions and to evaluate how the offender is perceived to be functioning. This may be modified by the CCM.

The DRR staff shall make at least one employment check each week during the offender's working hours.

6. 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

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 CSC includes the following:

- Offender name & register number;
- Release date, method;
- Recommended by, CSC 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 PRT will determine the appropriate level for the offender and make recommendations concerning program needs. Any changes in the level must be approved in advance by the PRT and CCM if appropriate. If an institution transfer has completed one of the institution-based drug treatment programs, the Regional Transitional Drug Abuse Treatment Coordinator (T-DATC) shall be consulted in the initial program planning meeting.

The PRT will review all offenders to determine drug use history and make appropriate referral to the T-DATC for screening. Drug aftercare and counseling needs will be formulated during the conference.

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 CSC 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 CSC, 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 CSC 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 CSC 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 CSC 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 CSC residency. Offenders are expected and should be able to meet this basic financial obligation while participating in the CSC 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 CSC 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 CSC 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 CSC 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 CSC 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 CSC 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