Berks County

Jail System

Inmate Handbook

Rules, Regulations, and General Information

1287 County Welfare Road

Leesport, PA 19533

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The rules and regulations described in this handbook do not cover all the situations that may arise. These rules and regulations are subject to change. When changes are necessary, notice will be provided through written announcements. No handbook can address every item or situation that might arise. Issues not expressly covered by this handbook or by written rule, directive, or order will be decided based upon the spirit of existing rule or policy, institutional security, the safety or rights of others, and Corrections' interests.

Provisions of this manual may be suspended during times of emergency or disruption of institutional operations.

Rights and privileges may be restricted in order to ensure the safety and security of other inmates, jail staff, the community, and to maintain good order.

INTRODUCTION

This handbook was prepared so that you will know what is expected of you as an inmate at the jail. The Berks County Jail System facilities are constructed, designed, and operated to provide a safe and secure environment for inmates and staff.

You are required to follow and obey the regulations contained in this handbook and always follow the directions of the jail staff, program providers, and County staff. When given a lawful order in the custody of Berks County staff, you are required to comply promptly and completely. Even if you feel that an order is unjust, you must obey the order when given. If you are given two conflicting orders, always obey the last order you are given.

You are expected to address everyone with respect and courtesy. When addressing others, use their proper name or title.

You are encouraged to take advantage of programs offered for your personal growth and your positive reintegration into the community.

1. GENERAL INFORMATION

1.1 Orientation

You are required to read this handbook and participate in an orientation program. The orientation program is designed to help familiarize you with the rules and regulations of the institution, the expectations of the staff, and the services and programs that are available to you. This program is presented regularly during the quarantine period.

After you have completed the booking process, you are assigned to a cell on the classification unit. You are expected to remain in your cell except for scheduled activities.

During your first three (3) to five (5) days on the classification unit, you may make one (1) free telephone call up to ten (10) minutes in length to anyone in the United States at the unit officer's convenience.

You are expected to cooperate with medical and treatment staff and provide truthful answers about your medical condition and personal history during your intake interviews. Information from these interviews will help determine your needs, classification level, and housing assignment. If you have a physical and/or mental impairment, you should promptly notify a staff member.

Failure to cooperate or obey the rules may result in you remaining on the classification unit or your placement in a restricted housing unit. (Your conduct while in jail will be reported to your Judge and Parole authorities.)

After you have met all the requirements (medical clearance, completion of orientation, and treatment assessment) and received a photo I.D., you are eligible to be transferred from the classification unit to another housing unit. Your photo I.D. is considered a security device and any tampering with, damage to, or removal of your I.D. without authorization will result in disciplinary action.

Jail forms are available upon request. You can access these forms via your unit officer or counselor. Jail forms include inmate communication forms, grievance forms, sick call slips, etc. If you use any jail form for anything other than its intended purpose, you may be cited with an institutional misconduct.

1.2 Harassment

If you are harassed, threatened, or attacked by anyone while you are housed in this Jail System, you are required to report the incident immediately to a member of the staff. You will be expected to make a full and truthful report of the incident, including identification of the individuals involved.

1.3 Protective Custody

You may ask to be placed in 'protective custody' status. A request both to enter and leave protective custody must be made to a staff member, and you must sign the necessary form. Activities outside your cell will be restricted and monitored in order to ensure your safety.

Once you elect to be placed in this administrative segregation status, you must remain there for a minimum of two (2) weeks.

Note: This Protective Custody status will not necessarily result in your transfer from quarantine or restricted housing to another unit. Supervisory staff of the jail may impose protective custody in extraordinary situations for your safety.

1.4 Rights, Privileges, and Responsibilities

1.4.1. Rights

You have the right to:

- Be treated impartially and justly
- A nutritionally adequate diet
- Personal grooming choices regarding appearance, which are limited only by institutional requirements for safety, security, identification, or hygiene
- Receive and send mail, including sealed correspondence with elected officials, attorneys, and officers of the court subject to necessary limitations
- Have visits with civilians within the guidelines established for the program
- Be addressed respectfully by staff
- Be supervised by staff, not inmates
- Be free from corporal punishment, deliberate personal injury, deliberate property damage, harassment, or use of excessive force by staff

- Participate in the classification process
- Have access to a grievance system
- Have access to counsel through unmonitored telephone calls
- The opportunity for unsupervised visits with your attorney, except where reasons for restriction exist
- Have access to legal materials
- Exercise, except for the first three (3) days of quarantine
- Voluntary access to clergy and religious services
- Have access to health care
- Be free from sexual abuse and sexual harassment
- Be free from retaliation in reporting sexual abuse or sexual harassment
- Be free from retaliation in reporting staff misconduct
- Be free from retaliation in cooperating with investigations

1.4.2. Privileges

Many programs and opportunities are offered to you while you are in custody, in addition to those which are described as rights. These are privileges that may be restricted or denied to you as a result of abuse of the privilege, unacceptable institutional adjustment, or misconduct. These privileges may include but are not limited to:

- Commissary
- Day room activities
- Recreational activities
- General use of the collect call telephones
- Participation in programs
- Earned time
- Use of the tablets

1.4.3 Responsibilities

An inseparable component of all your rights and privileges is responsibility. You have a responsibility to cooperate with any member of staff, including any staff member who is conducting a search of your cell or person. Should you believe that the search was unreasonable, you may file a complaint, after the fact. Generally, your behavior should be the same as what is expected of any member of the community. You should:

- Obey orders and directions from all jail staff immediately
- Respect others when speaking to them
- Obey the laws of the civilian community
- Report restricted activity, criminal behavior, or institutional violations

- Refrain from infringing upon another's rights or privileges
- Cooperate with staff at all times
- Be familiar with all the rules and regulations of this institution

Be aware that you will be held responsible and accountable for all your actions and behavior while you are here.

1.5 Special Operations Group (SOG) Activities

SOG Operators have been assigned to work in the Jail System to increase your safety and to protect the lives of those who live and work here. In the course of carrying out their duties, these operators and/or supervisory custody staff may video and audio record incidents/events and those involved in them.

1.6 Monitoring Notification

While you are present in any work area of the Jail System, you are subject to security monitoring and recording to include video and/or audio. This may occur at any time, with or without your knowledge. It takes place to ensure institutional security and the safety of those who live and work here. Monitoring of treatment programs will only be done visually to ensure that confidentiality is maintained. Requests for attorney/client privacy are individually reviewed.

Note: Work areas may include any area of the jail except staff and civilian rest rooms.

1.7 Civilian Tours and Guests

Staff members occasionally escort civilians through the institution, and they may visit your housing unit. Tours are also given to students or other groups studying topics related to criminal justice. We do not conduct "Scared Straight" programs or other programs designed to scare or intimidate visitors. Tours are given to provide special interest groups the opportunity to learn about our programs and operating policies.

You are expected to be courteous to visitors. Any negative behavior will not be tolerated. However, you are permitted to respond to questions directed to you. You are not permitted to accept nor pass any items or messages with visitors.

1.8 Incident Reporting and Tip Line

Please see page 26 for dialing instructions.

2. GENERAL OPERATIONS

2.1 Admission

Upon admission to the jail, you will be expected to:

- Identify yourself when asked
- Truthfully answer all questions

- Supply the booking officer with all your clothing and valuables (You will be given a receipt for all articles turned over to staff. You and a staff member will verify the accuracy of the receipts and acknowledge this fact with your signatures.)
- Cooperate with a search of all your clothing and personal articles
- Comply with a whole-body x-ray scan as directed
- Shower using a delousing solution if necessary
- Accept the issuance of clothing, bedding, personal hygiene items, and other items of approved property
- Cooperate when you are photographed, when a personal history is compiled, and if you are fingerprinted
- Cooperate with an assessment process

Items of personal property which are permitted in the jail will be returned to you. You will be permitted to keep only one change of clothing and a limited amount of personal property in storage at the jail. Items in excess of these amounts must be sent out of the jail. They may be mailed at your expense or picked up by a friend or relative within seven (7) days. You must understand that if you choose neither of these options, items will be disposed of by jail staff. (Refer to section 2.2.2 Personal Request)

You will be assigned to quarantine status, during which time you will undergo orientation and medical and treatment review.

Any personal item that you did not disclose upon admission will be considered contraband if found within the secure perimeter of the jail. All items will be confiscated and not returned.

2.2 Disposition of Personal Property

Your personal property will only be released to someone else upon your written request or by court order; otherwise, it will be returned to you upon discharge from jail.

2.2.1 Court Order

Booking staff will keep a copy of the court order, verify the identification of the person receiving your property, obtain their signature, and note the disposition of the property on your Personal Property Inventory before releasing it.

2.2.2 Personal Request

You may request to exchange clothing items or send valuables home by submitting an Inmate Communication Form and addressing it to the property staff. Your request must include the name and telephone number of the person who will be picking up/exchanging the item(s). Clothing will be exchanged on a one-for-one basis. However, all your valuables must be released as one package. Identification and a signature will be required of the person who receives your property.

2.2.3 Discharge to the Community

If you are discharged to the community, you will be issued all personal property that has been held by the jail for you. You will be required to sign your Personal Property Inventory acknowledging receipt of your property.

2.2.4 Discharge to Another Institution

If you are being discharged to another agency that does not accept all of your personal property, you may have your property boxed and mailed to an address of your choice or picked up by a friend or relative within one (1) month. You will be responsible for the cost of shipping. Jail staff will dispose of property not claimed within one (1) month. You must understand that if you fail to arrange for the mailing or pick up of your personal property, items will be disposed of by jail staff.

2.3 Financial Transactions

The Jail System maintains a financial account for you. You have access to your account balance through the inmate telephone system. We will not provide you with a copy of your financial transaction history. If you have other questions about your account, you may submit an Inmate Communication Form addressed to the Inmate Accounts Department.

Funds from your account may be applied to purchase commissary items. You may be permitted to release funds to one (1) designated individual of your choice per incarceration. Upon discharge, you have the option of transferring your funds to another criminal justice agency, transferring the funds to your registered home address, or forfeiting your funds. It is your responsibility to provide a correct home address on your Discharge Sheet at the time of release as the jail is not responsible for any mailed funds not received.

The procedure for releasing funds from your account to one (1) designated individual of your choice is as follows:

- Only one (1) individual may be named as the recipient of your funds, and this designation is permanent per incarceration
- Your designated individual must submit a notarized affidavit that includes the address where the checks will be mailed and his/her phone number (this affidavit can be obtained through a request to the Treatment Department)
- Each time you wish to send money you will need to submit a Request for Release of Funds form and an addressed envelope with postage
- Your release of funds request must include your Berks County Jail number, housing assignment, cell number, and signature (A staff member must verify your identity and sign the form)
- Requests will only be processed the first and third Mondays of each month, excluding holidays [Your request must be submitted at least three (3) business days prior to the first and third Mondays of each month in order to meet the processing deadline]

You may receive funds from the community in the following manner:

- Website deposits at https://web.connectnetwork.com
- Money orders, legally permitted government checks, and payroll checks, with the exception of work release paychecks are to be addressed to you and sent to the address in Section 2.9.1
- For information about Work Release payments/checks see section 5.4 of this handbook.

Note: Cash sent through the postal mail service will be confiscated with no refund issued.

Financial transactions of any kind between inmates, or between inmates and staff are prohibited.

2.4 Discharge

Upon discharge, your financial accounts will be reviewed and after all your financial obligations to the jail have been met, your account will be cleared and a check for the balance of your funds will be mailed to you. Your funds can only be mailed to you if you provide a forwarding address to the staff member who discharges you. If you have no forwarding address, you may make an appointment with an Inmate Account Clerk to personally collect your funds here at the jail by calling (610) 208-4800 extension 4011. An appointment with a designated staff member is required to collect funds. Should you show up with no appointment, you will not be able to collect your funds and will be required to leave the jail's premises.

All returned checks, money orders, and unclaimed funds remaining on your account for a period of two (2) years will be removed from your inmate account and forwarded to the Commonwealth of Pennsylvania Bureau of Unclaimed Property. To recover these funds, you must contact the Commonwealth of Pennsylvania Bureau of Unclaimed Property.

If you are interested in being released at 0001 hours, you must submit a request to the Booking Department by submitting an Inmate Communication Form. Your Inmate Communication Form must state that you have established a ride home and supply the name of the person who will be picking you up. On the day of your release, you will not be called to the Booking Department until your ride has arrived. Your driver will need to wait patiently until you are processed and made officially discharged.

A three (3) day supply of certain prescribed medications will be available to you upon release that you were taking while incarcerated. If this supply of medications is not available at the time of your discharge, notify corrections personnel prior to leaving the facility. You will have 14 days after you are discharged to contact the Medical Department and pick these medications up.

Your unit counselors have resources guides that include addresses and phone numbers of facilities in the surrounding community to help aid in your transition upon release from jail. You can sign up to see your counselor and request a resource guide. Additionally, the rear cover of this handbook has information about free reentry services offered by Connections Work (formerly BCPS) at their Reentry Resources Center.

2.5 Personal Possessions

Clothing, bedding, shoes, a storage box, photo I.D., etc. are issued by the jail. You must be dressed in jail issued or jail approved clothing at all times. Jail issued clothing may not be marked or altered in any way.

All jail issued items must remain in your possession during your period of confinement. Your jail issued property may be exchanged by entering your name on the property sign-up sheet when it is posted on your unit.

The specific number of allowable items that you may possess or keep in your cell is listed in section 7.1 Housing Unit Allowable Items.

You may not sell, trade, give, or transfer personal possessions, commissary items, or county property that was issued, sold, or given to you to any other inmate. You may not alter any item (that you are permitted to have) from its original condition.

Legal paperwork is the only property that you may take with you to a legal hearing outside the jail.

2.6 Exercise and Recreation

The indoor recreation area and outdoor recreation yard will be scheduled daily for each unit which houses general population inmates. The availability of outdoor exercise activities will be based upon weather conditions, including temperature and precipitation.

2.7 Visitation

The visitation program is restricted by the security and operational requirements of the institution. You are eligible for visitation subject to these restrictions. You must provide a specific list of up to eight (8) "proposed" visitors. You must provide an accurate and complete name, date of birth, address, telephone number, and relationship (mother, brother, child, stepchild, grandchild, aunt, etc.) for all visitors on the Proposed Inmate Visitor List form. Approved visitors will be offered visiting privileges under the conditions noted below:

- Visits are to be conducted in an orderly and quiet manner
- All visitors, including minors, must be on the approved visitors list
- Minors [those under the age of eighteen (18)] are permitted to visit only a parent/stepparent, legal guardian, spouse, or sibling when placed on the visitation list at the time of commitment. Any exceptions to this rule must receive prior written approval by the warden or designee.
- All minors must be properly supervised and remain with an adult who is on your visitation list at all times and may not be left unattended in the visiting room, lobby, or vehicle on jail property
- Disorderly visitors (including minors) will be asked to leave jail property (This may result in a loss of visiting privileges for all visitors in the party)
- Violations of any visiting regulation or failure to cooperate with staff in any way during a visit may result in a restriction or loss of your visiting privileges
- You are permitted no more than three (3) visitors per visit
- Anyone released from jail within the past two (2) years will not be permitted to visit you
- Those on parole must provide written approval to visit you from their parole officer
- You must have completed the quarantine period to be eligible for a visit
- Visits are scheduled by your visitors through the treatment department. You are permitted to have up to three (3) thirty (30) minute in-person visits per month. You are also permitted two (2) fifteen (15) minute video calls per week. These video calls are free to you and your family.
- Contact visitation is not permitted

All visitors are to report directly to front lobby to sign in and are to immediately leave the jail property once the visit is over.

Prior to in-person visitation, you must scan out with your Unit Officer. At the conclusion of your visitation, you must scan back in with your Unit Officer.

It is your responsibility to provide updates regarding the visitors on your visitation list including the name, date of birth, and address of each visitor. The visitor will not be permitted to visit until the current information is received and correct in our jail management system.

If a visitor arrives and their information you provided is incorrect the lobby officer may present a Visitor Information Form for the visitor to complete and return. The visitor may complete the form immediately and then give it to the lobby officer who will then forward it to the Treatment Department for processing; or the visitor may take the form home and mail it into the Treatment Department at their convenience. The visitor will not be able to visit until the updated information has been processed. Changes to your original visitor list may be made by submitting an Inmate Communication Form. Information updates may take up to fourteen (14) days to process.

Your adult visitors must provide a valid form of photo identification when they register in the lobby at the time of each visit; state driver's licenses, state identification cards, active military IDs, and current passports all of which include addresses are valid forms of identification. Adults supervising your visiting minors must provide identification information regarding the minors at the time of each visit; name, address, and date of birth are all required.

There is a dress code for visitors. Halter-tops, half shirts, tube tops, "short shorts", micro-mini skirts, fishnet stockings, and see-through clothing or other provocative/revealing garments are prohibited. All blouses, shirts and tops must extend to or beyond the belt line. No gang related colors or identifying clothing is allowed at our discretion. We reserve the right to deny anyone visiting privileges because of inappropriate attire. This is understood to be a subjective decision made by jail employees in the reception/visit areas which will not be debated nor appealed.

Visitors are subject to search at all times when they are on jail property, including vehicles. Any violation of regulations by a visitor may result in termination of a visit and suspension of future visitation privileges. Terminations and suspensions of visitation privileges will be reviewed by the warden or a deputy warden.

Staff will not tolerate abuse or foul language by visitors. Visitors that engage in either will be directed to leave the premises. No exceptions will be made, and the warden will not accept appeals.

If you are in visitation during mealtimes, you will have the option of staying in visitation or taking the meal back to your cell and then returning to the visitation room. If you choose to eat your meal, be advised that the time it takes to do so counts towards your visit time. If the booths are full, you could be bumped once you have reached thirty (30) minutes of visitation time. If you choose to stay in visitation, you will be afforded the opportunity to exit the visitation room, take your meal tray back to your cell to eat after your visit concludes, and then return to the visitation room. The time out of the visitation room counts towards your visit time. You are required to take your tray, promptly secure it in your cell, and then immediately return to your visit.

Visiting privileges may be restricted or discontinued during extraordinary circumstances.

You are responsible for deciding whether or not you wish to accept a visit.

Visitation with your co-defendant(s), the victim(s) of your crime(s), person(s) who have active Protection From Abuse orders lodged against you, person(s) requesting to receive no communication from you, and current or former employees of the Jail System is prohibited unless you have received prior written permission from the Jail System. Permission will be granted or denied on a case-by-case basis.

2.8 Indigent Inmates

If you have less than $5.00 in your account and have received no funds in a fourteen (14) day period, you are considered indigent and eligible to receive certain necessities. You may apply for indigent supplies by completing an Indigent Kit Request Form. The form must be submitted in accordance with commissary request procedures.

Items issued to indigent inmates include shampoo, soap, toothpaste, toothbrush, deodorant, paper/pen, and postage paid envelopes. Only "First Class" postage paid envelopes will be issued. No other envelopes or additional postage will be provided by the jail. The cost of this kit will be applied to your account as a negative balance.

If you are sentenced and indigent, you must accept an institutional job assignment if one is offered to you. When a job is offered to you and accepted by you, you must pay the processing fee in full. Once the processing fee is paid in full, you will no longer be eligible for indigent supplies as long as you maintain an institutional job assignment; however, you will remain eligible for indigent supplies until the processing fee is paid in full.

If you are in a classification status which requires the restriction of dangerous articles you may be denied unsupervised access to some of the above items.

2.9 Mail

Access to mail is permitted with those restrictions necessary for security or the good order of the jail. Mail will be inspected for contraband prior to distribution to you and before being forwarded to the U.S. Postal Service.

When you are discharged or transferred, your incoming mail will be marked "return to sender" and returned to the post office. If the U.S. Postal Service returns your outgoing mail to the jail for any reason, it will be returned to you. If you are no longer incarcerated here, your returned outgoing mail will be destroyed.

2.9.1 Incoming Mail

All incoming personal mail, including legally permitted government checks, payroll checks (with the exception of work release paychecks), Money Orders, and pictures must be addressed as follows:

(Your Name) – BCJS #

Berks County Jail System

P.O. Box 247

Phoenix, MD 21131

TextBehind's office is the general mail reception address for all incoming mail from your family and friends if they want to continue to send you written correspondence. TextBehind will make photocopies of the communication including the envelope and any pictures, drawings, and/or cards and deliver the photocopies to the Jail after they are screened and processed. TextBehind will process all inbound written communications to ensure that they contain only communications or photos, and do not contain any drugs, weapons, or other contraband with their Screen and Clean Process. TextBehind's screening and processing of written correspondence will be provided at no cost to you.

TextBehind will make its System accessible to your family and friends to create and submit communications on TextBehind's secure website or mobile app. TextBehind's current price schedule for electronic submissions is available to your friends and family on TextBehind's website https://www.textbehind.com.

Incoming legal mail, magazines, newspapers, periodicals, work release paychecks, and books must be addressed as follows:

(Your Name) – BCJS #____

BERKS COUNTY JAIL SYSTEM

1287 COUNTY WELFARE ROAD

LEESPORT, PA 19533

Legal mail from elected officials, attorneys, and officers of the court will be opened and inspected for contraband in your presence.

With the exception of the limited items addressed specifically below (magazines, cash, pictures, etc.) all other unacceptable or restricted items received through the mail will be considered contraband. These items will be confiscated and not forwarded to you. Mail correspondence containing illegal contraband will be forwarded to law enforcement and may result in the filing of additional criminal charges.

Money orders and government checks accepted through the mail will be stamped "For Deposit Only-BERKS COUNTY JAIL" and credited to your account. You may not receive cash or personal checks through the mail. Cash, personal checks, and credit cards are contraband. Cash will be deposited to the inmate welfare fund. Personal checks and credit cards will be destroyed after the relevant appeal process and a receipt will be issued to you stating who the check was from, the amount of the check, and the check number. You will receive notice as to who the credit card was from, and the credit card will be destroyed after the relevant appeal process.

We will not accept mail that does not have a complete legible return address. The return address must include first and last name of sender, street name and number, city, state, and zip code. The return address must be handwritten or typed; we do not accept return address labels or stickers. All these items will be returned to the post office. We will not accept "collect on delivery" (COD) or "postage due" mail.

You and the sender will receive written notification stating the reason that incoming mail/correspondence was not acceptable. Mail that is deemed to be contraband will be confiscated and maintained for a minimum of forty-five (45) days in order to allow for an appeal of the determination by the sender or the intended recipient. You must use the established Grievance System for these appeals. After forty-five (45) days, if no appeal has been filed, the confiscated item will be destroyed. Confiscated items may be mailed home by you at your expense. All appeals are reviewed by the booking lieutenant or designee who will make final determination. All items deemed to be non-allowable after appeal is reviewed will be destroyed.

Any mail/correspondence may be restricted and/or limited if it:

- Is a security concern
- Encourages or provides instructions for the commission of criminal activity
- Depicts or describes procedures for the construction, manufacture, or use of weapons, ammunition, bombs, or incendiary devices
- Depicts or describes procedures for the brewing of alcoholic beverages or the manufacture of drugs
- Deals with escape, deception, concealment, etc.
- Depicts, describes, or encourages activities which may lead to the use of physical violence or group disruption
- Advocates racial, religious, or national hatred
- Is contrary to legitimate penological and rehabilitative interest
- Contains sexually explicit material/photographs
- Contains postage stamps, copy or writing paper, or envelopes
- Contains stickers or tape (if the sticker or tape is on the envelope it will be returned to the sender, or if located inside the letter, the sticker or tape and the contents in which they are attached to will be removed)
- Contains any colored markings including, but not limited to colored crayon/pencil markings, paint, or lipstick

- Contains any glue residue or items that are attached by glue such as glitter, beads, ribbons, etc.
- Saturated with perfume or any other unknown substance
- Contains a letter that is considered third party mail (third party is defined as any mail in a letter that is not from the sender listed in the return address)
- Contains Polaroid pictures
- Is written in code
- Contains musical devices, metal objects, hard substances, food, or any other item which is not in text/pictorial form
- Contains anything that would have to be destroyed to be properly screened
- Contains oversized objects (larger than 8 ½ by 11 inches and overweight objects)
- Contains more than the allowable items permitted in the cells
- Contains anything deemed unacceptable by the booking lieutenant or their designee

You may not receive any clothing, undergarments, or sneakers through the mail.

Items that are restricted or in excess of acceptable limits will be considered contraband and not forwarded to you in the mail.

Magazines, newspapers, periodicals, and books must come directly from the publisher, bookstore, or a book club. Subscriptions found to be generally unacceptable will be refused and returned to the sender/publisher after the appropriate appeal process. The sender/publisher will be given an explanation for the refusal.

2.9.2 Outgoing Mail

Outgoing mail must be addressed with your name, Berks County Jail number, housing assignment, and cell number printed legibly above the return address. No other markings or notations may be made on the envelope of outgoing mail, or it will be returned to you. If outgoing mail includes contraband, all contents in the envelope will be confiscated. You will be notified if this takes place and may be disciplined accordingly.

If your intended recipient has a TextBehind account, you may choose to send mail via United States Postal Service to TextBehind. Upon receipt by TextBehind, TextBehind will digitize the outbound communication as "True Digital Copies", deliver them electronically to your intended recipient, and securely shred for recycling the original outbound communication.

If you wish to send registered or certified mail, you will be responsible for the cost of any postage in excess of the current first-class postage rate (forms are available through your treatment counselor). We will not pay the costs of a registered or certified mail even if it is legal mail and you are indigent.

If you are indigent and wish to send legal mail, you will be permitted to send up to five (5) pieces of legal mail, in excess of the current first-class postage rate, each calendar month. A negative balance equal to the actual cost of the postage will be applied to your account for this privilege. Mail must be deposited in the mailboxes provided for that purpose on the housing units.

2.9.3 Restricted Correspondence/Limitations

Correspondence with other inmates held here or at another correctional institution is a privilege which must be granted through written approval from a member of the Treatment Department. Approval may be requested by submitting an Inmate Communication Form listing the relationship of the inmate with whom

you wish to write and the reason for correspondence. Once correspondence is approved, it must be written legibly in English.

The warden will, at the request of a parent/guardian of a minor, terminate your correspondence to that minor. Correspondence may also be restricted because of security concerns, a failure to comply with mail rules and regulations, or other legal restrictions. The warden will review requests made from Supervisory Staff for restriction of your mail privileges, and upon reaching a decision, notify you if a restriction is imposed.

Correspondence with your co-defendant(s), the victim(s) of your crime(s), person(s) who have active Protection From Abuse orders lodged against you, person(s) requesting to receive no communication from you, and current or former employees of the Jail System is prohibited unless you have received prior written permission from the Jail System. Permission will be granted or denied on a case-by-case basis.

2.9.4 Censored Mail

Your correspondence will be censored when it is approved for delivery to another inmate housed here or at another institution, and when there is reasonable suspicion of:

- Plans for criminal activity
- Plans for violation of institutional rule
- Threats to institutional security or activity

The warden will issue written authorization to censor your mail for reasonable suspicion. You will be notified of any censorship for reasonable suspicion, unless this censorship is part of a criminal investigation by law enforcement authorities. You may appeal this through the inmate grievance process.

2.10 Legal Assistance

The only individuals who are entitled to collect a fee from you for legal services are licensed practicing attorneys or legal service agencies. Your unit counselor will have resources if you need assistance finding contact information for a licensed practicing attorney. It is a rule violation for you to pay/reward or accept payment/reward from another inmate for legal advice or assistance.

If you are unable to afford a private attorney, you may be eligible for the services of a Public Defender. You may request a form to correspond with a Public Defender from your unit officer. Additionally, you can call collect to the Public Defender's Office from the phones on the housing unit during times posted on or near the telephones.

If you have met the criteria for a public defender, but have been appointed conflict counsel, you are to provide documentation to your unit counselor and submit an Inmate Communication Form requesting access to contact that counsel through the inmate telephone system free of charge. The only acceptable documentation for this request is a copy of the notification letter you received from Court Administration. A copy of this letter must be attached to your request.

For preparation of legal correspondence, paper and other miscellaneous materials may be purchased through the commissary. Legal copies may be requested by writing an Inmate Communication Form to the Treatment Department. Inmates are required to provide their own paper for all photocopies. Photocopies are permitted for legal documents only. The law library is provided with supplies not to exceed $500.00 per year for use by indigent inmates. (One twelfth (1/12) of these supplies are provided monthly.) Typewriters are available for use on housing units.

2.11 Video Visitation for Professional Visits

Video visitation for professional visits is available to all inmates free of charge. All video visits are conducted on your assigned housing unit and allow for a one-on-one confidential conversation. Various county agencies as well as social service agencies may schedule a video visit with you as time permits.

Aggressive or disruptive behavior will result in the termination of your visit and may lead to disciplinary action.

2.12 Searches

You, your cell, and your belongings are subject to a full search at any time. This may include the dismantling of items in your possession or areas controlled by you. It may also include a full body search, requiring you to completely disrobe or submit to a whole-body x-ray scan. Your presence during cell searches is not a legal requirement.

You will be held accountable for any contraband or damage to jail property discovered as a result of a search. When moving to a new cell/area, you are responsible for informing staff of any property damage and for turning in any contraband items which you may discover.

When a search is being conducted, you are responsible for cooperating with staff. If you have a complaint, utilize the grievance system after the search.

Internal examination (body cavity) searches may be conducted by authorized medical personnel. You may be detained or under observation until arrangements can be made for such a search.

Staff is prohibited from conducting cross-gender searches, except in exigent circumstances.

3. INMATE FINANCIAL RESPONSIBILITY

You are required to assume responsibility for a number of financial obligations that the jail incurs on your behalf during your stay here. Please note any time that you are recommitted to the jail, fifty percent (50%) of any and all monies that you bring with you or receive, will be applied to any past negative balances on your account.

3.1 Processing Fee

At the time you are committed to our jail, you are responsible for a processing fee of $50.00 per incarceration. All incoming funds will be collected at fifty (50%) until the current processing fee has been paid in full. The processing fee program will not apply to those inmates committed by the following:

- The U.S. Bureau of Prisons, U.S. Marshalls Service
- Writ from another county
- A “Warden’s Agreement”
- Weekender/Intermittent

3.2 Billing Procedures

Staff will complete forms for all fee service or property restitution obligations assessed to you. If necessary, a negative balance will be applied to your account. The conditions for collection of monies when negative balances exist are:

- Fifty percent (50%) of all incoming funds will be credited to your negative account with the remainder being credited to your account for personal use (this will continue until all negative balances are satisfied)
- At discharge fifty percent (50%) of available funds will be credited toward any negative balance prior to issuing you a discharge check (you will receive an invoice listing all outstanding balances, and will then be required to pay the balance or set up a payment plan)
- Negative balances remaining after discharge will be maintained on your permanent record (if recommitted, you will be required to pay any negative balance as outlined in this section, including any unpaid processing fees from prior commitments)

3.3 Restitution

You will be responsible for making full restitution for any property, county or personal, which you damaged or destroyed. This restitution is in addition to any disciplinary or criminal charges lodged against you. When the institutional charges against you are for drug, alcohol, or tobacco use, you will be charged for the actual cost of any urine or other types of medical screens used to determine your guilt.

3.4 Property

All property issued to you must be returned at the time of your discharge. You will be held financially responsible for the cost of each and any item that is lost, missing, or damaged.

3.5 Medical Services

You will be charged an administrative screening fee for a medical evaluation ("sick call") by nursing staff in the amount of $3.00.

If you request to see a doctor or dentist, you shall be charged a fee in the amount of $5.00.

If you are referred to the Nurse Practitioner/Physician's Assistant/Physician (NP/PA/Physician) by nursing staff after initial diagnosis at sick call, you will not be charged a fee to see the doctor. If you are not referred to the NP/PA/Physician as a result of evaluation by nursing staff, but request to see the NP/PA/Physician anyway, you will be charged an administrative fee of $5.00 for this service, unless the NP/PA/Physician determines that you should have been referred at the evaluation conducted by nursing staff.

The application of fees is determined by the medical department. There is no administrative fee for:

- Intake screening
- Initial health assessment
- Annual health assessment
- Annual dental screening
- Treatment for chronic illness
- Treatment for mental health services
- Emergency services
- Medication administered by medical staff
- Assessments related to allegations of sexual abuse

- Medically ordered follow up care

You are required to sign a Medical Service Fee Form whenever medical service is rendered. Even if you refuse to sign the form, any appropriate fee will still be deducted from your account.

If you are considered disabled and require accommodation due to your special needs, an Inmate Communication Form should be submitted to the deputy warden for treatment to request these accommodations.

If you intentionally injure another person while in jail, you may be held financially responsible for the full cost of medical care for the injured person, and any loss of wages which result from that injury. A member of Senior Staff will determine if you will be held financially responsible for any injuries and will notify you in writing if this is the case.

You may dispute the medical fee assessment by submitting a grievance (Refer to section 10 Communication and Grievance)

Note: You will never be refused treatment because you lack funds.

3.6 Room and Board

If you are serving an intermittent/weekend sentence or are in the work release program here, you are responsible for paying room and board costs. If you are serving an intermittent/weekend sentence, you will be charged $10.00 per day for every day you are required to serve. These payments will be charged on a weekly basis. A processing fee will not be applied to a weekend sentence.

Work release inmates are responsible to pay the processing fee and room and board. Participants in the work release program must make their payments while incarcerated.

When you are discharged from jail, you will receive an invoice with your remaining owed balance in the postal mail and asked to establish a payment plan for your cost recovery charges. This will include any unpaid room and board for work release and weekend program participants. Jail staff will work with you to establish a fair schedule for payment. If you make no arrangements for payment, your account may be referred to a collection agency.

3.7 Work Release Deductions

When placed into the work release program, deductions are made from your payroll check for a variety of financial obligations (See section 3.6 above). These deductions, if applicable to you, are made in the following order:

- Processing fee, if not already paid
- Cash advances, as deemed necessary, for transportation
- Room and board fees
- Drug and alcohol screenings
- Weekly personal cash allowance (lunch money, gasoline for vehicle, etc.)
- Support payments as required by the Domestic Relations Office
- Fines and court costs, including victim restitution (a percentage of your net earnings will be deducted and forwarded to the Parole Office)
- Payment either in full or in portions of your obligations acknowledged in writing or which have been reduced to judgment

- If funds remain after the above deductions, the funds will be transferred to your inmate account (if you have a negative balance, half of these funds will be applied towards the balance)

If you are serving a short sentence, you may be eligible to participate in the jail's Work Release Prepay Agreement Program.

4. SERVICES

There are a variety of services which are coordinated through the Treatment and Operations Departments. Eligibility for some services is dependent upon your custody classification or housing unit assignment. Usually, if you are housed in general population, you are eligible for most services. If you are assigned to a restricted housing unit or administrative segregation, your service access may be limited to those that take place on that unit or may be provided with restrictions. Exceptions to this guideline may be made by the warden or by the deputy warden of treatment.

4.1 Commissary

Inmates are provided the opportunity to purchase a reasonable variety of commissary items in addition to jail issued items. There may be limitations on your purchases depending upon your individual classification and housing assignment. Access to commissary (once per week) may be restricted or denied if you are housed in:

- Maladaptive/Disciplinary Status
- Mental Health Status
- Medical Status
- Quarantine Housing
- Security Status

4.1.1 Commissary Ordering

A weekly dollar limit in the amount of $100.00 on purchases is enforced. Funds for commissary purchases must be available on your account the day your commissary order is submitted. The amount of your purchase will be deducted from your inmate account. If you have no money on your inmate account, you are eligible to order an indigent package.

You will place your commissary orders using the kiosk located on your housing unit. For those units without an available kiosk, Commissary Order Forms will be made available. Commissary Order Forms must be intact and include your name, date, Berks County Jail number, housing assignment, and cell number or they will not be processed. Improperly completed forms, or if your account has insufficient funds, will be marked with a reason for rejection and returned to you.

Security status inmates that are not currently on a disciplinary status are permitted to purchase commissary items from a limited menu. Any items purchased prior to the initiation of the security status will not be permitted. There will be a weekly $50.00 limit on purchases. Transferring commissary items to other inmates is prohibited and will result in a forfeiture of commissary privileges. Privileges will also be revoked if you receive a misconduct citation while on security status.

4.1.2 Commissary Delivery

The schedule for commissary can be obtained from your housing unit officer. Commissary delivery days vary depending on your assigned housing unit. The scheduled delivery of commissary is subject to change during holiday weeks. Commissary ordering and delivery may also be suspended in the event of an emergency or an extended disruption of normal facility operations. Your delivery may also be delayed if you change housing unit assignments.

Commissary items will not be delivered to you unless you have your inmate photo I.D./wristband. You will receive a receipt upon delivery of your commissary order. Commissary items are delivered in clear plastic bags, allowing visual inspection of the contents. You must verify the contents before opening the bag. To claim an error, the portion of the bag containing the items must be opened in the presence of a staff member. You need to have a staff member verify with his/her signature on the order form that there was an error. Commissary order correction requests are submitted through inmate accounts. If the error is verified, inmate accounts will credit the funds back to your account.

If you are moved to another housing unit before receiving your commissary order, a commissary staff member will ensure that the order is forwarded to the appropriate housing unit.

If you are released before receiving commissary that you have ordered, a refund will be issued. If you are transferred to another facility prior to receiving your order, the amount of the purchase will be credited to your account.

4.1.3 Commissary Possession Limits

A possession limit exists for the number of commissary items that you may keep in your cell. There is also a limit on how many of each item may be purchased in one order. Possession limits for each item are noted on the inmate Commissary Order Menu. Items possessed in excess of these limits will be considered contraband and confiscated. An exception may be made for items issued to you as a part of a jail-approved treatment, education, religious, or activities program. Limitations on the amount and variety of commissary items in you possession may also be imposed for security or safety reasons. You are not permitted to possess excess materials if they are determined by staff to be a security or fire hazard. Excess commissary items may be destroyed.

You will be permitted to keep discontinued commissary items for one month, at which point the item must be consumed, placed in property, or mailed home.

In addition to commissary possession limits for individual items, there is a total category limit. Items purchased within the same category should not exceed the total limit for that specific category.

You are not permitted to transfer, possess, or accept commissary from other inmates.

4.1.4 Commissary Storage

All personal property must fit in your jail issued footlocker. You are permitted to keep your commissary items stored in your footlocker, on your desk, and on the shelf in your assigned cell. All items must be stored in their original container or packaging. If you are moved to another housing unit and are unable to pack your commissary items, jail staff will make their best effort to collect all of your commissary items. If you do not have your personal items placed in your footlocker, it may not be collected.

Food items are to be consumed within 14 days of receipt. Food items which are left open create a health hazard and therefore must be properly sealed in the original container. Empty containers are considered contraband and will be confiscated and destroyed.

Receipts for purchased items must always be kept in your cell.

4.2 General Library

A general selection of fiction and non-fiction library books is available for your use. The library books will be reviewed on a regular basis and rotated as needed.

4.3 Law Library

The housing units are equipped with law library computers in order for you to access legal resources via the LexisNexis program. The LexisNexis program is also available on inmate tablets under the free profile. Unit counselors can provide guidance on accessing the help feature on LexisNexis which provides guidance and tips for using the program.

4.3.1 General Population Unit Procedures

The law library computer is accessible to you in the day room of your unit. You can use the computer during your scheduled recreation times. If you require additional time on the unit computer and a tablet is unavailable for use in your cell, you can ask the unit officer and they will allow you to access the day room at a time that is convenient for them. This additional time in the day room is ONLY to use the law library computer.

If there is content you need to have printed, you may submit an Inmate Communication Form to the Treatment Department listing the specific items you need. You must provide the full citation (document title and number), or your request will be returned to you. You must also attach enough paper to print the content. You can purchase copy paper through commissary and/or you can sign up for law library supplies by contacting your unit counselor the first full week of the month. Staff will review your list, attempt to meet your request, and deliver the materials to you on your housing unit. **Note:** The procedures above also apply to protective custody status inmates but may be modified to accommodate the varying needs of the unit.

4.3.2 Restricted Housing Procedures

The law library computer is accessible to you at specific times during the week. If you would like to use the law library computer, you must inform the unit officer. Requests to have documents printed may be made as described in section 4.3.1 General Population Unit Procedures above.

4.3.3 Law Library Regulations

The following regulations are to be followed:

- If you deface or damage library materials (computers, peripherals, etc.) you must reimburse the jail for any damages, and you will face disciplinary action.
- If you are serving a unit action or informal adjustment, your access to the unit computers and tablets will be suspended in accordance with the time listed on the citation.
- You must supply your own paper to have copies made or materials printed (if you do not have paper, you must write to the Treatment Department and a fee will be applied to your account)

4.4 Hair Care

Hair care services will be available to all inmates however administrative segregation restrictions may apply. You will be charged a fee for each service which will be deducted from your inmate account. You must have funds available in your account at the time your request is received by the Inmate Accounts Department.

If you are considered indigent and request a haircut, whatever amount of funds you have at that time will be taken toward your haircut and the balance will be posted to your cost recovery account. Indigent haircuts are allowed every ninety (90) days. No indigent shaves are permitted.

You can request barber services by completing a Haircare Request Form or an Inmate Communication Form and placing it in the request box on your unit. If you are housed in a restricted housing unit, you are to give the form to your unit officer. Hair care services will be provided on a first come first served basis.

4.5 Medical

Upon confinement you will be required to receive a screening to determine your health care needs. Part of the screening process includes testing for contagious diseases. This examination and subsequent examinations as necessary may include the collection of biological specimens (blood, urine, stool, etc.) and x-rays. You will be asked to supply a complete medical and mental health history. It is to your advantage to be truthful and inform medical staff of any chronic illness, allergies, prior surgeries, etc. If you are concerned that you may experience withdrawal from drugs and/or alcohol, request assistance. Information concerning your medical status will be confidential.

Medical staff will ask you to provide written authorization to obtain medical information from those who have treated you in the past.

If you choose not to be treated by the jail medical staff, you must complete and sign a Waiver of Medical Treatment. Each time you choose not to accept medical treatment, you will be required to sign a waiver. If you are called to medical for any reason, you must report to the medical department, even if you plan to refuse care. You cannot refuse medical care simply by telling the unit officer; you must report to medical, report your refusal to medical staff and sign the waiver.

You may elect to be examined and/or treated by your private physician. Such examination and/or treatment must be done at the jail. All arrangements must be made through the jail medical department, and you must pay all costs incurred for this treatment.

If you have been continuously confined here for one (1) year, you will receive an annual physical and dental exam. This annual exam will be provided without a fee.

4.5.1 Sick Call

If you want to be seen by the medical staff, you must fill out a Sick Call Request Form that is located on your housing unit. On the request you will provide your name, housing assignment, and give the reason you are seeking medical assistance. The form is to be placed in the designated locked box. You will be contacted by medical staff for an appointment. This appointment may occur in the medical department or with a nurse on the housing unit depending on the problem you describe in the sick call.

All medical emergency situations must be brought to the immediate attention of either your housing unit officer or the nearest staff member.

4.5.2 Medication

If you are taking medication when you are committed to the jail the medication may be temporarily held until the prescription can be verified, changed, or discontinued (upon medical advice).

You are required to take prescription medication in the presence of medical personnel. Confirmation of your photo I.D. is required in order to receive your medication. Staff is permitted to examine your mouth to ensure compliance. Concealing medication is a serious misconduct and may result in your medication being re-evaluated.

You must lock yourself into your cell when nurses arrive on your unit to administer medication. You must remain locked in until given further instruction.

The Medical Department will maintain a supply of over-the-counter drugs and issue appropriate quantities to you, if deemed necessary for treatment. Over the counter medication is also available through the commissary and can be purchased at the prevailing commissary rate. Cosmetic medications (dandruff shampoos, lotion, etc.) are not dispensed through the Medical Department. Some of these articles are available through the commissary.

4.6 Telephone

Staff will provide you with phone access to contact friends and family members during the first three (3) to five (5) days of your incarceration. The jail's obligation to provide one (1) free telephone call during this period shall be considered satisfied once four (4) attempts have been made. Should your attempts be unsuccessful, you must then use the collect call telephones available to you. The following rules apply:

- "Three-way calls" are not permitted
- You may not allow another inmate to use your pin number or phone privileges
- You may not use another inmate's pin number or phone privileges

Telephones are provided for your use in housing unit dayrooms. Access to these telephones is available during dayroom recreation periods. Access may be restricted or denied for those housed in segregation status.

You will be required to complete a Telephone Authorization Form at the time of commitment to the jail. This form must be completed in its entirety for you to be approved for use of the telephone system.

Telephone calls to your co-defendant(s), the victim(s) of your crime(s), person(s) who have active Protection From Abuse orders lodged against you, person(s) requesting to receive no communication from you, and current or former employees of the Jail System are prohibited unless you have received prior written permission from the Jail System. Permission will be granted or denied on a case-by-case basis.

A listing of the telephone rates is posted near the telephones on your unit. Should those whom you choose to call in the community fail to pay the bills for this service, you will be held fully responsible for those costs.

Be aware that the use of the inmate telephone system comes with inherent, assumed risks. Telephone charges for calls will not be reimbursed should the following situations arise:

- A call placed to a cell phone which gets disconnected
- A call is terminated due to a result of any emergency situation or lockdown
- Telephone charges that result from your failure to safeguard your pin number

Dialing instructions can be found on the following page.

Note: All telephone calls will be recorded and may be monitored and/or divulged, except for identified attorney telephone calls.

TO MAKE A COLLECT OR DEBIT CALL

1. Press 1 for English (2 para Español).
2. Press 0 to make a collect call or 1 to make a debit call.
3. Enter your 8-digit Permanent number, followed by your 6-digit TID number.
4. Enter the ten-digit phone number you are calling.

TO ACCESS COMMISSARY FOR DEBIT TRANSFER

1. Press 1 for English (2 para Español).
2. Press 4 to access the Commissary. System will transfer you to inmate services.
3. Select language choice.
4. Enter your "inmate ID," which is your 8-digit Permanent number, followed by your 6-digit TID number followed by the # sign.
5. Press 1 for debit transfer.
    a. Follow the system prompts to transfer funds.
    b. NOTE: You can only transfer $20 at a time and must leave a minimum $5 balance in your commissary account.

TO ACCESS PREA

1. Press 1 for English (2 para Español).
2. Press 0 to make a Collect Call
3. Enter your 8-digit Permanent number, followed by your 6-digit TID number.
4. Press #911 as the number you are calling.

TO ACCESS PUBLIC DEFENDER

1. Press 1 for English (2 para Español).
2. Press 0 to make a Collect Call
3. Enter your 8-digit Permanent number, followed by your 6-digit TID number.
4. Press #711 as the number you are calling.

TO ACCESS ICE

1. Press 1 for English (2 para Español).
2. Press 0 to make a Collect Call
3. Enter your 8-digit Permanent number, followed by your 6-digit TID number.
4. Press #511 as the number you are calling for ICE Pro Bono or #411 for ICE Courts.

TO ACCESS OTHER SERVICES

1. Press 1 for English (2 para Español).
2. Press 0 to make a Collect Call
3. Enter your 8-digit Permanent number, followed by your 6-digit TID number.
4. Press #211 for the Crime Alert Tip Line, #999 for the Jail Tip Line, #311 for Children & Youth, #611 for Connections Work, #811 for Domestic Relations Hotline

4.7 Tablets

Tablets are available for your use. Your tablet will be assigned based on jail protocol. Your assigned tablet is the only tablet you are permitted to use. Tablet privileges may be restricted or denied for inmates housed in segregation status. Tablet usage is a privilege, not a right. Failure to comply with the rules laid out in this section will result in loss of tablet privileges.

Tablets are available for your use based on operational needs and at the discretion of the unit officer. General tablet schedules are posted on the unit. Tablets will be collected for charging at certain times throughout the day as determined by the unit officer. Charging stations are located in or near the unit dayroom.

Tablets must be placed in a docking station in order to initiate a video visit. Video visitation docking stations are available for use in each cell on general population units. A limited number of video visitation docking stations are available on segregation units. Access to these will be based on availability and may be restricted or denied based on operational needs and at the unit officer's discretion.

Telephone calls, messages, or video visits to your co-defendant(s), the victim(s) of your crime(s), person(s) who have active Protection From Abuse orders lodged against you, person(s) requesting to receive no communication from you, and current or former employees of the Jail System are prohibited unless you have received prior written permission from the warden or a deputy warden. Permission will be granted or denied on a case-by-case basis.

Your friends and family can add funds to your tablet account via www.gettingout.com or via the gettingout mobile app. This account is separate from your commissary and phone accounts. Funds cannot be transferred from your commissary or phone account to your tablet account. Your tablet account balance is located in the corner of the screen on your tablet. You will have access to the tablet profiles listed below. Multiple language options are available on your tablet.

- Free Profile
  - Jail documents, Inmate Communication Forms, and Grievances may be available (notifications will be made if more documents/features become available)
  - Tablet Account Information
  - Commissary Ordering
  - Law Library
  - Educational materials
  - Visitation Schedule
  - eBooks
- Phone Profile
  - Phone App – ICMv
    Note: The same rules apply as the use of the phones on the wall. Please see section 4.6 Telephone for details
- Visitation Profile
  - Remote Video Visitation via Visit Now Platform
  - Visitation Scheduling
- Standard Profile - $0.05/minute usage
  - Messaging (see page 28 for further information)
  - Photo Attachments (see page 28 for further information)
  - Music Streaming
  - Game Center
  - Movies
  - Websites
  - Religious content

- Promotional Profile - $0.03/minute usage
    - Limited feature set of entertainment services contained within the Standard profile offered at a promotional price

You are required to use earphones for any tablet function requiring audio, including but not limited to music, movies, video visitation, and phone calls. You will be given one (1) free set of earphones. If lost or damaged, you must purchase a new set from commissary. Only one set of earphones may be purchased within a three-month period. A negative balance will be charged to your inmate account for the replacement set of earphones if you are indigent. You must turn in your damaged/broken earphones when your new earphones are delivered. Stolen or lost earphones must be reported when discovered. You are only permitted one (1) set of earphones in your possession at a time. Sharing your earphones is prohibited.

Any physical damage to your tablet, earphones, or video visitation docking station must be immediately reported to your unit officer. While you are assigned your own tablet, the tablet is still Jail property. Deliberate or negligent damage to your tablet will result in loss of tablet privileges, a minimum charge of $350.00 to your inmate account, and disciplinary action.

If you are experiencing any software issues with your tablet, submit an Inmate Communication Form and check the inmate telephone/tablet box to have this addressed. You must not allow the tablet battery to completely drain as it will render the tablet inoperable and require service. It is best to re-charge your tablet when its battery life reaches 20%.

Tablet privileges may be restricted if you are issued a unit action or a misconduct citation including those that are handled through an informal adjustment.

You will sign into the tablet using your assigned Inmate Permanent Number and Telephone Identification Number (TID).

You are only permitted to log onto your own account. Using another inmate's account or allowing another inmate to use your account will result in the loss of tablet privileges and disciplinary action.

Note: All phone calls, video visitations, electronic messages, and photo messages will be recorded and may be monitored and/or divulged except for identified attorney phone calls. Please refer to section 2.11 Video Visitation for Professional Visits for information regarding private video visits.

MESSAGING

In order for your friends and family to use messaging and photo sharing, they must create an account at www.gettingout.com. The cost to your family and friends for this service is $0.25 cents per message and $0.50 cents per photo. The cost to you for this service is $0.03/minute or $0.05/minute depending upon which Profile (see pages 27 and 28 for details) you are logged into on your tablet. **Note:** Only friends and family are charged a per message rate for messaging; you are charged a per minute rate for use of the messaging application.

PHONE CALLS

Phone calling on your tablet will be at the same calling rates as the phones on the wall and are subject to the same monitoring, recording and review. Earphones are required for all phone calls made on your tablet.

VIDEO CALLS

Your tablet must be placed in and remain in the docking station for video calls. If the tablet is removed from the docking station in the middle of a video call, the video will stop but audio will continue. All video calls are subject to monitoring, recording, and review. Any behavior deemed to be inappropriate, including but not limited to nudity, use of gang signs/gang related activity, and vulgarity, will result in loss of tablet privileges and may include disciplinary action. Earphones are required for all video calls made on your tablet. The cost for video calls is $0.25 per minute.

When using the video call feature, you are responsible for informing your visitor/friend/family that screenshots or other recording may not be made of the video call. Any misuse of the video calling feature may result in suspension or loss of privileges for your visitor/friend/family, and up to and including suspension or loss of privileges and disciplinary action for you.

4.8 Education

There are a variety of educational programs available to you. They include:

- GED (General Educational Development) – This course provides instruction, practice, and review to prepare you for the GED test. Individuals that are enrolled in GED classes and pass all GED pre-tests are eligible to sit for GED test administered here.
- ABE (Adult Basic Education) – This course provides you with practice and instruction if you are working below the GED level.
- ESL (English as a Second Language) – This course is designed to teach English to you if you are not already fluent in the English language.
- BCIU (Berks County Intermediate Unit) – These public education classes will enable you to earn credits toward a regular high school diploma. These classes are for individuals under the age of twenty-one (21).

Minors are required to attend educational programs.

4.9 Religion

You are allowed to satisfy the needs of your religious life consistent with the orderly administration of the jail. Religious programs are available to accommodate the beliefs of most major faith groups. Religious programming includes, but is not limited to, the following: formal worship services, religious study groups, and special events. These services will be coordinated and supervised by a qualified and trained Chaplain.

At the time of your commitment, you must declare a religion in order to attend services. The Chaplain will assist you in meeting your religious requirements regardless of your particular religion or beliefs. A library of religious resource materials is maintained by the Chaplain and made available to you upon request.

Participation in religious services and programs is completely voluntary. Just as you have the right to practice religion (with those restrictions necessary to maintain institutional security and order), you also have a right not to be subjected to any religious activity against your wishes.

You may attend only one (1) formal religious service per week. Inmates living on close custody housing units are not eligible to attend centralized worship services but may receive visits from the Chaplain on a weekly basis.

You may submit an Inmate Communication Form to the Chaplain for the following reasons to request:

- A change of religion
- Reading material from the Chaplain's library

- An accommodation of a religious practice or activity
- To possess a religious object that would otherwise be considered contraband
- For an accommodation of special foods, diets, and fasts as part of a religious practice
- To attend any other religious programs
- Religious counseling

All such requests will be approved or denied by the Chaplain in consultation with the deputy warden of treatment consistent with the security needs and orderly administration of the Jail.

4.9.1 Change of Religion:

If you believe an error was made at the time of commitment, you may ask for a change of religion. The Chaplain will meet with you prior to approving the request.

You may request to change your religion every six (6) months. After your first request was approved, a six (6) month period will begin where you may not request another religion change. After the six (6) month period has concluded, you will be responsible to submit a new communication form and present a letter from an appropriate pastor, priest, rabbi, imam, or other acceptable faith representative before you may be considered for a religion change. The letter must specifically state that you are a part of the representative's congregation. The Chaplain will meet with you prior to approving the request.

4.9.2 Religious Medallions or Jewelry:

You are not permitted to wear any religious medallions or religious jewelry. These items are considered contraband and will be confiscated. Jail approved Rosaries, Kufis, Yamakas, and Kemars are permitted. You may submit an Inmate Communication Form to request approved religious items.

4.10 Case Management

Case management services are provided to assist you with various matters, including your classification status, programming needs, general questions regarding your incarceration, and personal issues. These services are automatically provided during your quarantine period to determine individual needs and classification. Following your quarantine period, they can be accessed by either signing up on the unit list or by communicating your need to the unit officer.

4.11 Notary Services

A notary service is available, and you will be charged accordingly for each service. To use the notary service, you will need to bring a completed Inmate Communication Form along with any necessary paperwork to your treatment counselor for verification. You are to be specific in your request for notary service. Vague or incomplete requests will be returned to you. It is your responsibility to provide any form that needs to be notarized. Upon request for notary services, all notaries will report to your housing unit should any form require witnesses. It will be your responsibility to provide such witnesses from your housing unit at the time of notary.

A locked drop box is provided in the main lobby for anyone who wishes to drop off a notary form for you. This notary form must be placed in an envelope with your name and BCJ number provided on the front. Any form not in an envelope, or envelopes containing any letters or contraband will not be processed and will be destroyed.

The Jail System will provide the Temporary Child Guardianship/Physical Custody Affidavit and the Release of Funds Affidavit Form of Designated Individual per your request made by submitting an Inmate Communication Form to your treatment counselor.

5. PROGRAMS

There are a variety of educational, counseling, and treatment programs which are coordinated through the Treatment Department. It is important to note that you must participate in any treatment program recommended for you in order to be eligible for custody level decreases, work release, earned time, etc. Your refusal to participate when selected or recommended for a program will be reported to your sentencing judge and to parole authorities, as appropriate.

Parole authorities may also require specific program participation as a condition of parole.

Primary treatment programs include individual and group counseling, drug and alcohol treatment, case management, and crisis counseling. You may contact the treatment staff assigned to your unit for information on specific counseling groups.

During the initial classification process, you are interviewed to determine your needs. You will then be referred to program(s) that best address your needs. You are encouraged to participate in all recommended programming. If you choose, you may also request to participate in specific programs by contacting the treatment staff assigned to your unit. Should you have any questions, you may sign-up to discuss them with treatment staff, or submit an Inmate Communication Form.

Note: Frivolous or unfounded requests, communications, complaints, or grievances that abuse institutional or civil processes, may result in a misconduct violation. Further, this type of behavior may result in a negative parole recommendation.

5.1 Eligibility

Eligibility for programs is dependent upon your custody classification and programming needs. Eligibility does not guarantee program placement.

If you are housed in general population, you are usually eligible for most programs. If you are assigned to a restricted housing unit or assigned to administrative segregation, your program access may be limited to those programs that take place on that unit. Exceptions to this guideline may be made by the deputy warden of treatment.

5.2 Institutional Jobs

Institutional jobs are provided to as many inmates as possible. All sentenced inmates are expected to accept any institutional work offered and will receive compensation. Food and Sanitation Team (FAST) work is not considered institutional employment. Work assignments are made after considering your classification, physical ability, adjustment record, prior employment, skills, training, length of incarceration, and the needs of the jail. Many job assignments are paid. By accepting a job, you agree to perform all tasks assigned to you and to follow all directions of staff.

Participation in all recommended programming is expected by all inmates. Sentenced inmates must complete or be actively participating in all recommended programs in order to maintain institutional employment. If there is a scheduling conflict between recommended programming and institutional employment, recommended programming takes priority for the days it is scheduled.

You may be removed from a job by the Institutional Classification Committee (ICC) or Disciplinary Hearing Officer. You may request a written explanation of the reasons for your suspension or dismissal from a job.

You may be suspended or dismissed from a job for a variety of reasons including:

- Refusal or inability to perform job assignments
- Failure to cooperate with supervisor
- Verbal abuse of other individuals
- Violation of job rules and regulations
- Medical disqualification
- A decision of the Disciplinary Hearing Officer as a sanction for a misconduct
- Not complying with recommended programs

If you are cited with a misconduct you will be suspended from your job and may be replaced depending on operational need. If you are replaced but your misconduct charges are dismissed by the Disciplinary Hearing Officer, you will be given the next available job assignment.

5.3 Off-Site Work Crews

The community work detail program provides skilled and unskilled inmate labor for governmental or non-profit agencies. Inmates in this program are supervised by a Correctional Officer. You are not eligible for the program if you:

- Are in an administrative segregation status
- Are unsentenced
- Are in quarantine status
- Ever escaped or attempted to escape from custody in the last seven (7) years
- Have a detainer lodged against you
- Are deemed high risk per your risk assessment
- Refuse to participate in specific treatment programs, or fail to demonstrate improvement
- Have a prior work release failure in the last three (3) years
- Have received a formal misconduct in the past sixty (60) days

Eligibility does not guarantee program placement. If you have been found eligible for the program and refuse to participate, you will face disciplinary action which generally results in a loss of earned time.

5.4 Work Release

The Work Release Program provides an opportunity for you to become employed in the community. The Work Release Coordinator will assist you in obtaining employment; however, you are expected to contact potential employers and secure employment on your own. It is not staff's responsibility to provide you with a job. All potential employers and transportation arrangements must be approved by the Work Release Coordinator. Work sites are examined to determine if they are suitable for employment. You are not eligible for the program if you:

- Are in an administrative segregation status
- Are unsentenced

- Are in quarantine status
- Ever escaped or attempted to escape from custody in the last seven (7) years
- Have a detainer from another jurisdiction lodged against you
- Are deemed high risk per your risk assessment Refuse to participate in specific treatment programs, or fail to demonstrate improvement
- Have a prior work release failure in the last three (3) years
- Have received a formal misconduct in the past sixty (60) days

Eligibility does not guarantee program placement.

To be eligible for work release you must meet all the criteria for Trusty classification and must attend or currently be involved in all recommended programming. Additionally, your eligibility for work release may be further restricted by your offense and status.

If you are deemed eligible for this program, you must sign the Inmate Work Release Agreement. Your signature indicates you have read and understand the agreement and will abide by all the rules and regulations of the program. You may be removed from the program at any time for violating this agreement or any program rule/regulation. Once all the above requirements have been satisfied, you must receive both the approval of the warden and the Court.

Staff will monitor your attendance, performance, and behavior. When you are not at your work release job, you are expected to participate in any work details assigned to you by jail staff.

If you are removed from this program, you may face disciplinary action which generally results in a loss of earned time. Further, this may disqualify you from participation for the remainder of your incarceration.

The work release program is subject to suspension at any time.

All Work Release checks must be mailed directly to the address below and include the check stub.

Berks County Jail System

Attn: Inmate Accounts

1287 County Welfare Road

Leesport, PA 19533

5.5 Earned Time

In an effort to reward those whose behavior and program participation during confinement have been determined to be exceptional, the Jail offers a program which allows you to earn time off your sentence. In order to qualify for this program, you must:

- Be fully sentenced to Berks County (state sentences are not eligible)
- Be serving only an eligible Berks County sentence with a maximum of less than two (2) years (including aggregate sentences)
- Have a record of good conduct
- Have successfully participated in any and all programs recommended for you by treatment staff

If you meet the above criteria and were approved by your judge to participate in a reentry/early release program at the time of sentencing, you will be reviewed for earned time.

5.6 Furloughs

A furlough provides a means for temporary release from custody for fully sentenced, qualified inmates who have a specified need. Those needs include family emergencies involving an immediate family member and funerals for immediate family members. The warden makes the final determination on whether or not a furlough will be considered. Requests for any type of furlough are initiated through your counselor.

5.7 Recommendations to the Courts/Parole Agencies

Jail staff members are not permitted to provide recommendations on your behalf to Court authorities. Requests for release of information for your treatment programming, etc. are coordinated with your counselor.

6. CLASSIFICATION

6.1 General Information

The Jail has an objective classification system to determine your custody level and eligibility for program participation. The five custody levels of classification listed from most to least restrictive are:

- ADMINISTRATIVE SEGREGATION
- MAXIMUM
- MEDIUM
- MINIMUM
- TRUSTY

You are not classified to a more secure custody level than your potential risk factor warrants. Your classification is based on a number of criteria, which include, but are not limited to:

- Reports from law enforcement agencies
- Medical or psychiatric condition and history
- Jail records of conduct and adjustment
- Records of prior incarceration
- Length of time in present classification status
- Criminal charges
- Existence of detainers
- Adjudication status (pre-trial, sentenced, etc.)
- Program participation

Based on a review of all available information, Institutional Classification Committee (ICC) determines your initial classification status. In some cases, generally involving medical, mental health, and adjustment problems, you can be detained on a classification unit or placed into administrative segregation.

Periodically, your classification status will be reviewed and may be changed. You will receive written notice of any classification changes. A change in your classification status can result in a new housing unit assignment. If you believe you have a reason for appeal of a classification decision, you may submit an appeal to the deputy warden of treatment by writing an Inmate Communication Form. Your appeal will be resolved within five (5) business days of receipt by the deputy warden of treatment.

Your housing assignment will be based upon the results of the classification process. Separate housing is provided for:

- Male and female inmates
- Protective custody inmates
- Newly committed inmates
- Inmates requiring care for medical or mental illness
- Inmates deemed a security risk or serving a disciplinary sentence
- Inmates who may be a threat to themselves or others

There are three (3) general categories of housing within the Jail System. As a result of the classification process, you will be assigned to one (1) of the three (3) types of housing listed below:

- Classification/quarantine
- General population
- Restricted housing (administrative or disciplinary segregation)

6.2 Administrative Segregation (ADSEG)

Administrative segregation refers to a type of housing reserved for the protective care and secure management of identified inmates. It is not a punitive status but is designed to provide special care for those who cannot be housed in the general inmate population. The categories of administrative segregation are described below:

- **MALADAPTIVE** - Segregation for those who display a pattern of unmanageable behavior. You are also assigned to this status when disciplinary charges have been filed against you and you have been referred to a hearing board.
- **DISCIPLINARY** – Segregation for those who have been found guilty of their disciplinary changes.
- **MEDICAL** - Segregation for those whose physical health requires close monitoring.
- **MENTAL HEALTH** - Segregation for those whose mental health requires close monitoring.
- **PROTECTIVE CUSTODY** - Segregation for protection from another inmate or group of inmates. You may request this status or be placed into it for administrative reasons by the Inmate Classification Committee (ICC) or Supervisory Staff of the Jail.
- **SECURITY** - Segregation for those who are a risk for escape, a danger, demonstrate violence toward others, and/or pose a serious security threat to the institution. If you are temporarily transferred here from another facility, refuse to provide information, or fail to cooperate during the commitment process you may be assigned this status.
- **MODIFIED SECURITY** – Segregation for those who have been sentenced to death.

Assignment to an ADSEG unit occurs only by a written administrative segregation order that is processed through the ICC and approved by the warden, deputy warden, or lieutenant. You will receive a copy of this order if it is necessary to segregate you. Similarly, release from segregation occurs upon recommendation of the ICC with the approval of the warden or deputy warden.

When a security or medical need requires immediate segregation, a shift commander may issue a verbal order, which will later be followed by a written order.

While you are in administrative segregation the ICC will regularly review your status. At thirty (30) day intervals, a classification hearing will be held for those inmates in maladaptive or security segregation.

If you are held in administrative segregation for more than thirty (30) days, you will be seen by the staff psychologist. Follow up interviews will be held periodically. Administrative segregation status imposed by other jails/prisons will be honored by this jail.

If you are placed into administrative segregation, you will be expected to continue to abide by all the rules and policies of the jail. Depending on the type and condition of your ADSEG confinement any of the restrictions noted below may be imposed upon you:

- Use of clothing, mattress, blankets, and pillow may be restricted
- Showers may be limited to two (2) times each week
- Meals may be changed from the standard menu or service procedure
- Limitations on commissary items may be imposed
- The conditions for participation in programs and services may be restricted, or when permitted, altered by time and location
- Access to the law library system may be limited
- Exercise may be limited (may also be restricted by the warden for security reasons, or by the physician or psychologist for medical/mental health reasons)

6.3 Maladaptive and Disciplinary Segregation

During your stay in jail, you are expected to follow all rules, regulations, orders, and directions of staff. It is important that you familiarize yourself with all rules, etc., since you will be held accountable for any violations of them. If you violate a rule, etc. you may be disciplined by either your unit officer, a supervisor, or the disciplinary hearing officer. In any of these cases, the resulting sanction may include segregation.

If you are placed into maladaptive/disciplinary segregation you will be expected to continue abiding by all the rules and policies of the jail. Your activities and privileges will be restricted. Some of these restrictions are noted below:

- A minimum of one (1) hour of out-of-cell exercise will be provided five (5) days per week. The outdoor recreation yard will be used, as weather permits. Exercise may be restricted by the warden for security reasons, or by the physician or psychologist for medical/mental health reasons.
- Clothing, mattress, and blankets may be restricted
- You are required to shower at least two (2) times each week
- You may be subject to a food menu modification for each meal. Reasons for food menu modifications may include misconduct related to food, food containers, or utensils.

- Most privileges and some programs/services will be restricted and/or limited to participation on the housing unit (or in the cell when required by circumstance)
- Use of the inmate telephone system and tablets will not be permitted. You will be offered one (1) telephone call after a disciplinary hearing at the earliest convenience of the Unit Officer.
- You may have one (1) generic book and one (1) religious book in your cell at any given time.
- You will continue to have access to a law computer on the housing unit. You will have to coordinate this with the unit officers. Any requests for copies or forms should be submitted on a detailed communication form to a Treatment supervisor.

Note: The ICC will regularly review your status. A thirty (30) day hearing/review is conducted for all inmates in a close custody status level (i.e., Medical, Mental Health, Protective Custody, Security, and Disciplinary). You will be notified of this hearing in advance and will be given the option to participate if you wish.

7. RULES AND REGULATIONS

7.1 Housing Unit Allowable Items

7.1.1 Quarantine Unit

Each inmate in quarantine will be issued the following:

- 1-Uniform yellow shirt
- 1-Uniform blue pant
- 1-BCJS issued sweatshirt
- 7-Underwear
- 5-Pair of socks
- 5-T-shirt
- 5-Bra
- 1-Pair of shower shoes
- 1-Pair of sneakers
- 2-Bed sheets
- 1-Blanket
- 1-Towel

Each inmate in quarantine may have the following:

- 1-Religious Text- Bible, Qur'an, or other
- 1-Rosary (jail approved and kept in cell)
- 1-Wedding band without stones
- 1-Pair/set eyeglasses or clear contacts
- 20-Personal letters
- 5-Books
- 5-Magazines

Note: A shirt, bottoms, and footwear must be worn at all times. Items used for other than their intended purposes or in excess of permitted amounts in any housing unit will be considered contraband and may be confiscated and not returned to you.

7.1.2. General Population Unit

Each inmate in general population may have up to the following:

- 2-Uniform blue or tan shirts
- 2-Uniform blue pants (1 additional pair of pants for all Trustys and kitchen workers)
- 1-Pair of shorts
- 7-T-shirts (issued 5, purchase additional 2)
- 7-Male or Female underwear (issued 7,)
- 7-Bra (issued 7)
- 7-Pairs of socks (issued 5, purchase additional 2)
- 1-BCJS issued sweatshirt
- 1-Grey sweatshirt purchased through commissary
- 1-Pair of grey sweatpants purchased through commissary
- 2-Thermal shirt purchased through commissary
- 2-Pairs of thermal pants purchased through commissary
- 2-Towel
- 1-Washcloth
- 1-Pair of shower shoes
- 1-Pair of sneakers purchased through commissary (or jail issued blue shoes)
- 1-Footlocker

Each inmate in general population will be allowed to have up to the following items:

- 1-Wedding band without stones
- 1-Pair of Earbuds/Headphones
- 20-Personal letters
- 5-Books
- 5-Magazines
- 1-Newspaper (one for one exchange)
- 12-Personal hygiene items
- 1-Pair/set eyeglasses or clear contacts
- 1-Religious text, Bible, Qur'an, or other
- 2-Khuffis (jail approved or purchased from commissary)
- 2-Hijabs (jail approved or purchased from commissary)
- 1- Prayer Rug (jail approved or purchased from commissary)
- 1-Rosary (jail approved and kept in cell)
- Commissary- Refer to commissary menu for specific item limitations

Note: <u>A shirt, bottoms, and footwear must be worn at all times. Items used for other than their intended purposes or in excess of permitted amounts in any housing unit will be considered contraband and may be confiscated and not returned to you.</u>

7.1.3 Disciplinary Unit

Each inmate in disciplinary will be allowed to have up to the following clothing items:

- 2-Uniform striped shirts
- 2-Blue pants
- 1-Pair of shorts
- 5-T-shirts
- 5-Bras
- 5-Underwear

- 5-Pairs of socks
- 1-Jail issued orange footwear
- 2-Bed sheets
- 1-Yellow sweatshirt
- 1-Blanket

Each inmate in disciplinary will be allowed to have up to the following items:

- 1-Jail issued towel
- 1-Toothbrush (one for one exchange)
- 1-Jail issued toothpaste (one for one exchange)
- 1-Jail issued soap
- 1-Jail issued deodorant (one for one exchange)
- 1-Jail issued comb (issued to prepare for Court and returned to officer)
- 1-Soft lens care kit with solution
- 1-Religious softcover text, Bible, Qur'an, or other
- 2-Khuffis (jail approved or purchased from commissary)
- 2 Hijabs (jail approved or purchased from commissary)
- 1- Prayer Rug (jail approved or purchased from commissary)
- 1-Rosary (jail approved and kept in cell)
- 1-Wedding band without stones
- 5-Envelopes
- 1-Paper tablet (no cardboard)
- 1-Photograph (2 photographs for inmates on 2nd tier status)
- 3-Personal letters
- 1-Newspaper (one for one exchange)
- 1-Softcover BCJS book (2 books for inmates on 2nd tier status)
- 1-Address Book
- 1-Jail issued pen (one for one exchange)
- Approved medical items

Note: A shirt, bottoms, and footwear must be worn at all times. Items used for other than their intended purposes or in excess of permitted amounts in any housing unit will be considered contraband and may be confiscated and not returned to you.

7.2 Maintenance and Safety

Housing units are to be maintained in a safe, secure, and clean condition. All rules posted on the unit and those listed in this handbook are to be obeyed. The following applies:

- All vents in the housing unit and cells must remain uncovered and clean. Vents in cells must be in a fully opened position at all times.
- No clothing, towels, etc. may be used to block any portion of a door or window.
- No signs, posters, wash lines, pictures, or other items are permitted to be hung on doors, windows, walls, and furniture.
- Writing on or defacing walls, doors, furniture, or any other institutional surface is prohibited.
- No tampering with or damaging any life support, security or fire control system or devices.
- No tampering with any lock, locking device or control.
- No tampering with lights or light switches in your cell.
- No tampering with video visitation docking station in your cell.
- At all times, the dayroom is to be kept in a sanitary and orderly condition.

- You are responsible for the condition and contents of your cell. Cell inspections take place each morning and evening.
- Anytime you are out of your cell, it must be inspection ready.
- Nothing is to be thrown within the unit (into hallways, around the dayroom, from one end to other or from tier to tier).
- No standing on furniture for any reason. (Your storage bin is considered furniture.)
- Sporks will not be provided with meals to those inmates who are in MALADAPTIVE or DISCIPLINARY status. Inmates solely in SECURITY status shall receive sporks with meals but will surrender the sporks to unit officer at the conclusion of each meal and will not be permitted to keep them in their cells.

Note: <u>Additional housing unit rules are posted on your unit.</u>

7.2.1 Dayroom Regulations

Boisterous behavior is not tolerated. The following applies:

- No yelling from your cell
- No yelling tier to tier
- No yelling in the dayroom
- No loud talking, shouting, whistling, singing, etc.
- No banging on your door

Telephone use is regulated. The following applies:

- You must use the telephone located on the level where you live
- You are not permitted to congregate on the second level while waiting to use the phone. Waiting lines, if any, shall be on the first floor, near the staircase.
- Phone calls are limited to twenty (20) minutes per call
- Phone calls are not permitted during population count or at any time that the unit officer has restricted telephone privileges

Televisions are provided for your use with limitations. The following applies:

- You will be required to cooperate in determining the channel setting
- If a dispute arises, the unit officer will resolve the issue
- Officers will adjust the volume or turn off the television when deemed necessary (televisions will always be off during population count)

Tablets and radios may only be used inside your cell.

Checkers, cards, and other appropriate games will be available for your use in the dayroom. These games shall not be stored in your cell. All games must be signed out with the unit officer.

Your personal chair may be used in your cell and in the dayroom. You are not permitted to stand on it nor are you permitted to lend it to another inmate. The chair must be returned to your cell when not in use.

Beverages and food may not be taken off the unit.

Indoor and outdoor recreation are scheduled activities and are permitted only during the scheduled times. Your only opportunity to participate in outdoor recreation is at the time it is scheduled to start.

7.2.2 Yard Regulations

The following are yard regulations that you must comply with:

- You are not permitted to gather or sit on outdoor steps
- You must stay off of and away from the outdoor fence
- You are not permitted to talk to or sign to other yards
- You are to remain properly dressed at all times which includes a minimum of:
  - 1-White t-shirt
  - 1-Pair of shorts
  - 1-Pair of sneakers
- You may bring out the following only:
  - 1-Jail issued water cup
  - 1-Commissary purchased game
- Should you decide to sit while you are outside, you must sit inside the painted line away from the fence
- If there is an inmate altercation while you are outside for recreation, you must immediately lay on the ground face down until ordered otherwise
- Unless there is an emergency or you should be called for a visit, you may not re-enter into the jail from yard until halftime is called
- For all yards lasting two (2) hours, halftime will be offered at the one (1) hour point [during this time you will be afforded ten (10) minutes to re-enter the housing unit to get a drink, use the bathroom, or return to your cell for the remainder of the yard period and after ten (10) minutes the yard door will be closed and the remainder of your yard time will be forfeited if you are still inside the jail]
- You are required to comply with any and all officers' orders, which is especially important during emergency situations and any inmate altercations [your failure to follow yard rules and any directed order will result in termination of your recreation for that time and discipline may result from your disobedient action(s)]

Note: Yard rules are always subject to change due to weather, emergencies, security, etc.

7.3 Hygiene, Clothing, and Belongings

Except for the clothing which you are wearing, your clothing and bedding items are to be kept in your cell at all times. Your personal property is to be stored only in the storage areas provided to you, such as your desk and footlocker. Items not properly stored are subject to confiscation and may be treated as contraband.

You must be fully and properly clothed when outside your cell. The following applies:

- You must wear a shirt, uniform pants, socks, shoes, and a properly displayed inmate photo I.D.
- Pants must be pulled up around the waist
- Your T-shirt must be tucked into your pants, not into your underwear
- Your uniform shirt does not have to be tucked into your pants
- Pant legs cannot be pegged
- You will be allowed to roll up pant legs that are too long

The use of certain items of clothing is limited as follows:

- A T-shirt without a uniform shirt over it, gym shorts, sweatpants, sweatshirts, thermal pants, and thermal shirts may be worn only during outdoor recreation, during indoor recreation while using exercise equipment/actively exercising, going to and from outdoor recreation, in a cell, or going to and from the showers.
- Sweatshirts (not thermal shirts) may be worn off the housing unit only when they are under a uniform shirt.
- Shower shoes may be worn only in a cell and when going to and from the showers.
- Wave caps and rollers may be worn only in your cell.

You are required to shower at least two (2) times each week. The minimal attire to and from the showers is a shirt with pants or gym shorts and shower sandals.

Common use shavers are available on the housing unit if you cannot purchase a shaver from commissary. You are required to follow all posted guidelines when using these shavers. Failure to follow guidelines will result in discipline.

Your inmate photo I.D. must be prominently displayed. Wristbands should be worn on your left wrist. I.D. cards should be worn on your left sleeve. You are required to present your I.D. during population count, when you leave from and return to the unit, to receive your commissary, and to receive your medication. You will be charged a replacement fee for lost or destroyed photo I.D.'s. Your photo I.D. is considered a security device and any tampering with, damage to, or removal of your I.D. without authorization will result in disciplinary action.

Only food items purchased from the commissary are permitted to be stored in your cell. Meals must be eaten at mealtime or returned with the meal tray to the kitchen.

All cells are provided with a toilet and sink. BCJS plumbing system allows for one (1) flush every five (5) minutes, but if two (2) flushes are used within the five (5) minute period, the plumbing system will become locked for one (1) hour. Before each meal, the plumbing system will be reset to allow all inmates to use the toilet with the above limitations.

7.4 Inspections

Upon your arrival on a housing unit, both you and the unit officer will inspect your assigned cell and sign an Inspection Form. This form is used throughout your entire stay. Each time you are moved and when you are discharged, you will be required to sign the Inspection Form. You will be charged for any damage to your cell, living area, furniture, or fixtures within it.

Daily inspections of cells are made to ensure that the:

- Beds are made unless one is lying upon it
- After 0730 hours and before 1900 hours, if you lie on your bed, it is to be remade
- Nothing is to be stored under your mattress or pillow
- Desk is clear when not in use except for religious text
- Chair is under desk when not in use
- Footlocker is under bed
- Cell is swept and mopped, according to posted unit schedule
- Floors will be free of dust and debris
- Doors, walls, ceilings, windows, and furniture are free of signs, posters, or other hangings

- Walls, doors, and furniture are not written upon or defaced in any way (nude pictures, pictures showing sexual acts, or any pictorial representation of an offensive, discriminatory, or inflammatory in nature are not displayed anywhere)

Daily inspections of the common areas of the housing unit will take place to ensure the:

- Showers are cleaned and deodorized
- Common areas are orderly and clean (indoor and outdoor recreation areas are to be orderly and free of debris)
- Visiting areas are to be kept clean
- Janitor's closet is clean, orderly, and well stocked
- Sally ports, walkways, dorm areas, dayrooms, and stairs are clean
- Counseling rooms, the officer's station, and the staff bathroom are clean (these areas will be cleaned under staff supervision only)
- Walls, doors, and furniture are clean and not written upon or defaced in any way

Formal inspections of housing units will be conducted regularly. Units will be rated in the categories of "individual cells", "common areas" (dayrooms, visiting section, etc.), "showers", "closets", and the "officer's station/bathroom".

7.5 Inmate Movement

Every inmate is assigned to a specific cell, or in some cases bunk area or temporary bed. You may only enter your assigned cell, bunk area, or temporary bed, unless granted specific permission by the unit officer.

If you live on the first floor, you will only be permitted on the second floor for an approved purpose, such as to see a counselor/caseworker or for an approved visit. You may not loiter on the second floor or staircase. You must use the shower area on the floor where you live.

You are permitted to approach jail administrators or visitors on the housing unit, but you must do so in a respectful and appropriate manner. If the person you approach refers you to another, or directs you to end your conversation, comply immediately.

You may leave the unit only after the unit officer has recorded and approved your movement. You are required to present your inmate picture I.D. to any staff member requesting to see it. You may be frisked or strip searched when leaving and entering your housing unit.

You are to keep to the right side of corridors and travel in a quiet and orderly manner. You must travel the most direct route to your destination. When in a group, you are to walk in single file.

7.6 Drug Testing

7.6.1 General Guidelines

You may be required to provide urine samples which will be tested for the presence of drugs or prohibited substances. These samples are collected regularly for those participating in programs and at any other time jail staff believe it to be necessary.

A urine sample must be provided within two (2) hours of a request to provide one.

Samples are collected under supervision and you will be asked to personally seal and initial each sample, thereby beginning the chain of custody. Chain of custody will be strictly observed.

Positive results found for any sample will be confirmed with a confirmation test. You will be provided a copy of the test results report if you request it. You are not entitled to have a test done on the sample using your own procedure or laboratory.

7.6.2 Baseline Testing

Baseline testing is available to you while in Quarantine. The purpose of the baseline test is to determine if there are drugs in your system upon commitment. You can make this request by completing a Request for Urinalysis form located at the officer's desk on the unit. Return the completed form directly to the unit officer.

If you test positive for drugs or alcohol during routine drug testing and did not request a baseline urinalysis, it will be assumed that you used the substance after commitment and you will be cited with a misconduct.

8. DISCIPLINARY PROCEDURES

The inmate disciplinary system is designed to maintain control, protect County employees, the public, and inmates, and promote socially desirable behavior. This is accomplished through the enforcement of the rules of conduct, application of established consequences for misconduct, and hearing procedures which include applicable due process requirements. Standards/rules of conduct include, but are not limited to, the schedule of misconducts, unit regulations, and posted orders. There are three (3) levels of disciplinary enforcement:

- Unit Action Sanctions
- Informal Adjustments
- Disciplinary Hearings before the Disciplinary Hearing Officer

8.1 Unit Action

Unit action is defined as an officer's application of logical sanctions for non-severe, undesired behaviors where verbal action alone is not sufficient. Unit action can involve the removal of logically related privileges for violation of a unit rule for example: the loss of dayroom time until the next count for loud or disruptive behavior in the dayroom, or extra cleaning duties assigned to an inmate for littering. Unit action sanctions are enforced by the unit officer. Unit action sanctions applied by the officer may include:

- Counseling
- A written warning or reprimand
- Loss of institutional pay (up to four (4) days)
- Loss of privileges (up to four (4) days)
- Loss of tablet privileges (up to four (4) days)
- Loss of mattress privileges (up to seven (7) days) applies only while assigned to restricted housing unit on Maladaptive (MAL), Disciplinary (DIS), Secure Housing Unit (SHU), or Security (SEC) status
- Extra work duty (up to four (4) days)

- Confinement to your cell for a maximum of two (2) recreation periods

At the time of an incident, your unit officer will provide you with a statement of the rule you have violated and the sanction that will be applied.

8.2 Informal Adjustments

When a disciplinary matter cannot be resolved through a unit action, you will receive a misconduct citation.

It is the joint responsibility of the citing officer and custody supervisor to determine whether you will be offered the option of an informal adjustment, and if offered, what sanctions will be applied. An informal adjustment may result in the imposition of any of the following sanctions (refer to section 9.1 Classification of Misconducts):

- Removal of privileges (up to fifteen (15) days for a Class I, up to ten (10) days for a Class II, and up to five (5) days for a Class III)
- Unpaid work duty (up to fifteen (15) days for a Class I, up to ten (10) days for a Class II, and up to five (5) days for a Class III)
- Disciplinary confinement (up to fifteen (15) days for a Class I, up to ten (10) days for a Class II, and up to five (5) days for a Class III)
- Restitution for damaged jail property (if you request to forego a formal disciplinary hearing, and agree to complete a "Request for Release of Funds" form)

You will not be informed which sanctions will be imposed prior to deciding whether to accept the informal adjustment. If you accept an informal adjustment, you must sign a form waiving your right to a disciplinary hearing. When a misconduct citation is informally adjusted, your disciplinary sentence may be served on a restricted housing unit. Misconduct citations resolved through informal adjustment are not reported to probation/parole authorities.

If you refuse an offer of informal adjustment, the original charge(s) will be submitted to the disciplinary hearing officer with a notation that an informal adjustment was offered. You will be placed in administrative segregation on the appropriate unit pending your hearing.

8.3 Misconduct Citations

When a disciplinary matter cannot be resolved through other means, you will be cited with misconduct by a staff member. You will receive a copy of the Misconduct Citation Report within the following time frames:

- Within twenty-four (24) hours of an alleged violation,
- Within twenty-four (24) hours of a violation being brought to the attention of staff,
- Upon completion of an investigation.

You will be asked to acknowledge receipt of your copy of the citation with your signature. Your signature merely indicates receipt of the citation and will have no bearing on the disposition of your case.

The prohibited acts listed in section 9.1 Classification of Misconducts are graded into three general classes based on the severity of the offense: Class I, II, and III. Each offense is identified by an offense number, descriptive label, and is listed under the highest class which can be charged for that offense. An offense which is not listed in the schedule of misconducts is cited as a Class I offense, "Other Provisions".

A sanction involving a loss of privileges may include loss of commissary, telephone, yard, or indoor recreation area (but not exercise itself).

8.4 Disciplinary Hearings

The disciplinary hearing officer is a member of the jail system staff who has had no direct involvement in the incident that is to be reviewed. When a formal misconduct citation is filed against you, you will be moved to the disciplinary segregation unit, and placed into administrative segregation. When a misconduct citation is referred to the disciplinary hearing officer, the below listed guidelines will be applied:

- A hearing will be held before the disciplinary hearing officer within two (2) working days of the alleged violation (excluding weekends and holidays) unless the matter has been delayed. If the case is not to be heard within this period, you will receive a written notice of postponement. Should you refuse to attend your hearing, it will be held in your absence.
- While the disciplinary hearing is pending, you need not answer questions by staff members about the incident.
- In preparation for the hearing, you may request the assistance of a jail employee or an inmate designated by the warden from the general population. To request this assistance, you should submit an Inmate Communication Form to your counselor and deposit it (or have your unit officer deposit it) in your unit mailbox. You may request a postponement of your hearing to enable you to meet with your "assistant."
- At the hearing, you have a constitutional right to remain silent.
- Unless you become disruptive, you may be present during the entire proceeding, excluding only another inmate's confidential testimony and the disciplinary hearing officer's deliberation process (which follows the taking of all evidence).
- You may admit, deny, or otherwise explain the incident for which you were cited. You may also inform the hearing officer of any mitigating circumstances to be considered in determining sanctions, if guilt is established.
- You may present evidence and request up to three (3) relevant witnesses (when to doing so is deemed appropriate and not contrary to institutional goals or security).
- Should a witness not be available at the time of the hearing, you may obtain a postponement.
- You may request that the hearing officer direct questioning in specific areas.

8.5 Disciplinary Sanctions and Sentencing

The disciplinary hearing officer has the authority to determine whether or not you are guilty of the cited offense(s) based on the evidence. This means that the hearing officer finds some evidence to support the charge(s) that you committed the act(s) for which you were cited. Your simple denial of the charges does not refute those charges. The threshold for a finding of guilt is much lower in a jail disciplinary hearing than the one in a court of law.

In misconduct situations where more than one rule violation is cited, penalties and sanctions may be applied for each established violation.

The disciplinary hearing officer may impose any of the following sanctions:

- Counseling
- Reprimand or warning
- Denial of privileges (up to ninety (90) days)
- Unpaid work duty (up to ninety (90) days)

- Loss of all or part of one's accumulated "Earned Time"
- Segregation (see section 9.2 Schedule of Maximum Disciplinary Segregation)
- Restitution
- Recommendation for transfer to another institution
- Recommendation for criminal prosecution

A sanction of disciplinary segregation, whether in your own cell or in the disciplinary unit (as a result of unit action, informal adjustment, or disciplinary hearing officer action), includes the denial of participation in activities with the general population. Counselors, criminal justice professionals, and the Chaplain will be allowed to visit you on the housing unit.

The disciplinary hearing officer may consider mitigating or aggravating circumstances when imposing a sanction.

- Mitigating circumstances include no malicious intent, actions in self-defense, apparent remorse, etc.
- Aggravating circumstances include a history of uncooperative or disobedient behavior, the lack of apparent remorse, perjury committed during the hearing, malicious intent, etc.

In cases where you have demonstrated contempt or disrupted the hearing proceedings, the disciplinary hearing officer may impose an additional ten (10) days of segregation to any sentence.

When the disciplinary hearing officer imposes a sanction, you may lose all or part of your eligible earned time. Further, this misconduct information is routinely provided to parole authorities.

When you demonstrate an inability to adjust your behavior in response to disciplinary action, as demonstrated by continual misconduct, you may be reclassified under provisions for administrative segregation/maladaptive behavior.

If you leave this Jail System while serving a disciplinary sentence, your sentence will resume if you are returned here. This Jail System honors the imposition of disciplinary sentences imposed by other jails or prisons.

8.6 Appeal Process

When found guilty of an offense by the disciplinary hearing officer, you have the right to appeal the officer's decision in writing to the warden. You must file your appeal within two (2) days of your hearing.

Within two (2) working days of receiving the appeal (excluding weekends and holidays) the warden will affirm, modify, suspend, or reverse the decision of the disciplinary hearing officer. In no case will the warden increase the punishment ordered by the officer. You will receive a copy of the warden's decision. The warden may designate a deputy warden to respond during absences.

9. MISCONDUCTS

9.1 Classification of Misconducts

The following is a list of acts which are prohibited while an inmate of the Berks County Jail System and which are the basis for misconduct citations. Each violation is categorized as a Class I, Class II, or Class III offense. Sanctions applied in disciplinary actions are related to the severity of offense.

9.1.1 Class I Offenses

These offenses are severe violations that may endanger life, health, security, or property. Class I violations may require a disciplinary hearing prior to imposition of sanctions or may be informally adjusted (where specifically permitted). The imposition of any of these sanctions may also require your assignment to additional programming. When referred for a formal hearing, any sanctions up to and including ninety (90) days segregation for Class I-A and sixty (60) days segregation for Class I-B offenses, may be imposed for each offense. When resolved through informal adjustment, sanctions not to exceed fifteen (15) days segregation may be imposed. These offenses may also be reported to the outside law enforcement for investigation and possible criminal prosecution.

Class I-A offenses require a disciplinary hearing prior to the imposition of sanctions and include:

101. Arson - Act of deliberately setting fire.

102. Bribery - The offering, giving, receiving, or soliciting of something of value for the purpose of influencing an action.

103. Conspiracies - An agreement between two (2) or more inmates to commit a violation of any law, jail rule, regulation, or policy.

104. Controlled Substance - Possessing, manufacturing, delivery, or being under the influence of alcohol, drugs or narcotics, volatile substances, or any other controlled substances.

105. Assault - Physical attack upon another which includes an attempt or offer to do violence to another.

106. Escape - A flight from custody. This includes any and all attempts to flee the facility, while outside the facility, on transport, or any type of work detail outside the facility whether it be supervised or not.

107. Extortion - Demanding or receiving money or anything of value in return for protection, to avoid bodily harm, or under threat of informing.

108. Kidnapping - Taking hostage or holding another against their will.

109. Contraband (Level 1) - Possession, manufacture, or trafficking in contraband items. Contraband includes possession of any item contrary to jail system regulations or failure to report the presence of contraband when it can be shown that you had knowledge of the contraband's existence or control of the area where it was found.

    - Level 1 contraband includes weapons, implements of escape, cigarette lighters, matches, any item which causes or makes fire, drugs or drug paraphernalia, poisons or intoxicants, communication devices, money or negotiable instruments, and any other items which may present a threat to any individual or the safe and orderly operation of the jail.

110. Rioting/Inciting to Riot-Invoking and/or committing an act to create violence or a disturbance.

111. Theft/Involvement in a Theft – To include receipt of stolen property.

112. False Reporting-Deliberately submitting/providing false information during an internal investigation.

113. Sexual Assault - Any type of sexual contact or behavior that occurs without the explicit consent of the recipient.

114. Tampering with a Security Device – To include removal, or attempted removal of any type of security restraint, tampering with, damage to, or removal of your I.D. without authorization, and/or tampering with any locking mechanism including any cell door lock

Class I-B offenses require a disciplinary hearing or the application of an informal adjustment prior to imposition of sanctions, and include:

150. Tattooing, etc. - Receiving, performing, or assisting in the process of tattooing, tattoo removal, branding, body piercing or any other form of body modification.

151. Fighting - Physical altercation between two (2) or more inmates where all are mutually engaged in the fight/confrontation. Self-defense will not typically be considered a mitigation factor unless you have no avenue for retreat to avoid the confrontation.

152. Contraband (Level 2) - Possession, manufacture, or trafficking in contraband items. Contraband includes possession of any item contrary to jail system regulations or failure to report the presence of contraband when it can be shown that you had knowledge of the contraband's existence or control of the area where it was found.

- Level 2 contraband includes commissary products or jail issued items that are in excess of established limits, have been altered for use outside of their intended purpose, and any other items that may present a threat to any individual or the safe and orderly operation of the jail.

153. Count - Interference with or failure to be present for population counts.

154. Refusal of Orders – Includes the refusal to comply with the directions of staff.

155. Sexual Misconduct - To include, but not limited to kissing, fondling, exhibitionism or performance of any sex act.

156. Threats - Threatening others with bodily harm or other reprisals.

157. Restricted Area - Presence in an area which is prohibited to inmates at any or all times.

158. NOT IN USE

159. Other Provisions - Violation of any rule or provision enumerated elsewhere in this handbook or of written, posted, or verbal orders/regulations/notices not specifically enumerated in this misconduct section.

160. Destroying, defacing, damaging property which may include adulteration of food or drink.

161. Failure to provide specimens for drug or medical testing.

162. Interfering with the duties of a staff member or volunteer.

163. Program Rule Violation(s) - Failure to conform to signed program agreements

164. Security Threat Group (STG) related activities, including recruitment; organizing; display of symbols, groups, or group photos; promotion or participation.

9.1.2 Class II Offenses

Class II offenses may require a disciplinary hearing prior to the imposition of sanctions, may be informally adjusted, or may be handled as a unit action. The imposition of any of these sanctions may also require your assignment to additional programming. When referred for a formal hearing, any of the sanctions, up to and including thirty (30) days segregation, may be imposed. When resolved through informal adjustment,

sanctions not to exceed ten (10) days segregation may be imposed. When handled as a unit action, sanctions up to twenty-four (24) hours confinement may be imposed.

Class II offenses which require a disciplinary hearing or the application of an Informal Adjustment prior to imposition of sanctions include:

200. Tobacco Usage - Use of tobacco and tobacco products is prohibited at all times, in all areas of the jail, and while participating in any jail program.

201. Work Violation - Refusal of a sentenced inmate to accept a work assignment, failure to report to a work assignment at the designated time, or a violation of work rules.

202. "Transfer" of property from one inmate to another (includes selling, lending, etc.)

203. Sexual Harassment - includes (but is not limited to) unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual nature that is intimidating, hostile, or offensive.

204. Uncooperativeness -includes but is not limited to failure to comply with the intake process for classification/movement.

205. NOT IN USE

206. Possession of Security Threat Group (STG) related paraphernalia or related material, STG symbols, logos, STG colors, drawings, hand signs, or STG related documents.

Class II offenses which may require a disciplinary hearing, the application of an informal adjustment, or that may be handled as a unit action prior to imposition of sanctions include:

250. NOT IN USE

251. Abusiveness - Profane, obscene, or otherwise demeaning speech, gestures, correspondence, or actions.

252. Disturbance - Speech or actions which interfere with, interrupt, or cause the disruption of normal institutional routines, proceedings, or order.

253. Harassment by:

A. words, gestures, or actions intended to annoy or alarm another person, or communication

B. Submitting a request, complaint, etc. in writing or verbally:

- to more than one employee regarding the same issue

- to the same employee, repeatedly, regarding the same issue

- to any employee without mentioning that the issue has already been answered by another employee, when that is the case

254. Misrepresentation - Lying or otherwise misrepresenting facts.

255. Unit Rule Violation - Repeated or flagrant failure to obey housing unit rules.

256. NOT IN USE

257. Unauthorized Area - Absence from an assigned area or presence in an area at a time when it is not permitted.

9.1.3 Class III Offenses

Class III offenses may require a disciplinary hearing, the application of an Informal Adjustment, or may be handled as a unit action; prior to imposition of sanctions. When referred to the hearing board any of the sanctions up to and including fifteen (15) days segregation may be imposed. When resolved through informal adjustment, sanctions not to exceed five (5) days segregation may be imposed. When handled as a unit action, sanctions up to twenty-four (24) hours confinement may be imposed. Class III offenses include:

301. Cell Inspection - Failure to comply with standards for the maintenance of a living area.

302. Littering - Depositing trash in any place other than the appropriate containers.

303. Misuse of Jail System Property - Using jail system property for any purpose other than its intended use.

304. Safety - Failure to follow posted or verbally ordered safety regulations or standards, or to injure or place others in jeopardy of injury by one's actions.

305. Unsanitary Hygiene - Failure to follow standards of personal cleanliness and sanitation, including one's cell.

306. Unit Regulations - Failure to comply with any of the housing unit regulations listed in this handbook or posted on the housing unit.

307. Horseplay – wrestling, shadow boxing, pushing, shoving, etc.

Note: <u>An attempt to commit any violation of rules, regulations, or orders will be considered the same as committing the act itself and cited as an actual violation thereof.</u>

9.2 Schedule of Maximum Disciplinary Segregation

The following are the sentencing guidelines for disciplinary segregation which may be imposed when found guilty of any of the misconducts referenced in section 9.1 Classification of Misconducts:

Class	Unit Action (per incident)	Informal Adjustment (per citation)	Disciplinary Hearing (per offense)
I-A	n/a	n/a	Up to 90 days
I-B	n/a	Up to 15 days	Up to 60 days
II	Up to 24 hrs	Up to 10 days	Up to 30 days
III	Up to 24 hrs	Up to 5 days	Up to 10 days

10. COMMUNICATION AND GRIEVANCE

10.1 Inmate Communication

All official communications at the Berks County Jail System are to be made in the English language. You may have staff or another inmate assist to file a communication in English.

Most routine housing unit and treatment matters or questions can be handled by speaking with the housing unit officer or treatment staff. You may submit an Inmate Communication Form to staff other than those assigned to work directly in your housing unit. A collection box is provided for this purpose on each housing unit. A member of staff will respond to your request or forward it to the appropriate staff member for a response. After a response has been given, a copy of your request form will be returned to you. If you feel a significant complaint has not been resolved by this process, you may file a grievance.

The use of any form by an inmate for frivolous, unfounded, misdirected, harassing, or threatening communications to jail system employees will not be tolerated. An inmate who engages in this behavior may be warned or cited with a formal misconduct. Continuation of this behavior may result in future communications being processed and filed without response.

Note: Petitions, complaints, requests, or grievances from groups of inmates will not be considered and will be filed without answer.

10.2 Grievances

Written grievances citing alleged violations (as noted below) are filed on an Inmate Grievance Form and placed in the housing unit collection box.

NOT EVERY COMPLAINT IS A GRIEVANCE. FOLLOW THE LISTED GUIDELINES!

10.3 Filing Grievances

10.3.1 Grievable Issues

The grievance process may be used by any inmate, regardless of classification or disciplinary status, and may be filed for any one of the following reasons:

- To report an alleged violation of civil or constitutional rights
- To report an alleged violation of jail system policy
- To report an alleged criminal behavior or prohibited act by a staff member
- To report an alleged condition existing within the facility that creates unsafe or unsanitary living conditions
- To dispute the assessment of a specific fee for service charge, including but not limited to medical fees

10.3.2 Non-Grievable Issues

A grievance may not be filed simply because you disagree with a staff member's decision or instructions; it must meet the above criteria.

Appeals of disciplinary hearing officer or classification committee actions are not grievances and are to be filed on an Inmate Appeal Form. There is only one level of appeal with these actions. The warden will answer the disciplinary appeal and the classification appeal will be answered by the appropriate deputy warden.

Grievances may not be filed about any matter that is in the process of litigation. A matter is considered "in the process of litigation" when someone communicates intent/threat to a member of our staff or upon receipt of a "notice" from the court.

10.3.3 Access to the Grievance Procedure

You may request a grievance form from your housing unit officer. A form will be provided to you within a reasonable timeframe. If there are no grievance forms available, you may submit your grievance on an inmate communication form; however, you must clearly notate on the communication form that you are intending to submit a grievance. This can be achieved by selecting "Other" and writing "Grievance" on the blank line in the "TO:" section of the form. Alternatively, you may write the word "Grievance" at the top of the communication form or in the narrative section.

The grievance process has been explained to you during your initial jail system orientation. Assistance from staff will be provided for inmates who do not speak or understand English, or for those who are impaired or disabled.

10.3.4 Reprisals

No staff member may retaliate against you for filing or withdrawing a grievance in good faith. Employees are forbidden to interfere in any way with your right to file a grievance. Actions taken against you for abuse of the grievance process or for making false statements are not considered reprisals.

10.3.5 Inmate Assistance

You may file a grievance only for yourself and based upon the grievable issue's impact on you individually. You may receive assistance from another inmate or staff member in correctly completing the form.

10.3.6 Submitting the Grievance

Grievances must be filed in writing and submitted within thirty (30) days of a potentially grievable event.

The grievance is to be placed in the communication collection box on the housing unit.

Only one (1) grievance may be filed relating to a single incident. Grievances regarding multiple issues will be unanswered and returned to you.

You may withdraw a filed grievance at any time by submitting an Inmate Communication Form requesting withdrawal.

All grievances must be complete, legible, and understandable. Otherwise, the Grievance Form will be returned to you. You will then have ten (10) days to properly resubmit the grievance, or it will not be considered.

An inappropriately filed grievance or one which cites a non-grievable issue will be returned to you with a reason for its return.

10.3.7 Review and Answering of the Grievance

Your grievance will generally be answered and returned to you within fifteen (15) days. If the grievance cannot be answered within this timeframe, you will be sent a notice and the timeline may be extended an additional ten (10) days.

10.3.8 Appeal Process

You may only appeal the grievance response by submitting a written appeal to the warden within fifteen (15) days of issuance of the grievance decision. The following circumstances must exist if you would like to appeal the original decision of the grievance:

- You discover new evidence that was unavailable for previous submission to the reviewing authority. You must clearly state what the new evidence is, as well as why you were unable to submit it with your original grievance.
- You feel the reviewing authority committed a probable error in answering your grievance.
- You did not receive a response to your original grievance within twenty-five (25) days.

You must include the original grievance number and notate on the grievance form, or communication form, that you are filing an appeal.

10.3.9 Emergency/Sensitive Grievances

You must file an emergency/sensitive grievance by submitting your grievance on an Inmate Grievance Form and writing "emergency" or "sensitive" on the form.

A grievance that is considered an emergency or considered sensitive is one that would result in irreparable harm or personal injury occurring if it is not addressed in a prompt manner.

You must describe why you feel the grievance is an emergency or is sensitive in nature and cannot be answered through the normal grievance procedure. You must include a statement in the grievance specifying the personal injury or irreparable harm that will occur.

You must immediately submit the grievance for review. Upon receipt of the grievance, a supervisor will have twenty-four (24) hours to determine if the grievance is an emergency or is sensitive. If so, the grievance must be answered and returned to you within forty-eight (48) hours of receipt (excluding holidays and weekends).

If the grievance is determined not to be an emergency or is not sensitive, the supervisor will return the grievance to you, and you will be required to submit the grievance through the normal grievance process.

10.3.10 Abuse of Grievance Process

Abuse of the grievance process may include, but is not limited to:

- Harassing or threatening others
- Submitting frivolous grievances, or ones that have previously been addressed and answered by staff
- Submitting issues that have no available remedy
- Submitting repetitive grievances on the same issue(s)

If it is determined you have abused the grievance process, your grievance will be returned to you without a response, but a notation of the abuse which may result in a discipline. A restriction of the grievance process may be imposed upon you for up to twelve (12) months. This restriction timeframe may be extended if abuse of the process continues.

In future grievances, you must show cause why you should be permitted to file a grievance. You may be denied the right to file a grievance unless you can show just cause for the filing.

11. PRISON RAPE ELIMINATION ACT (PREA)

11.1 Zero Tolerance

BCJS maintains a zero-tolerance policy for all forms of sexual abuse, sexual harassment, or retaliation for the reporting of sexual abuse or harassment. While incarcerated at BCJS, you have the right to be free from sexual abuse, or any related threats, harassments, intimidations, or retaliations.

Sexual abuse and sexual harassment of inmates by other inmates, employees, vendors, contracted staff, volunteers, professional visitors, or interns is strictly prohibited and subject to administrative, disciplinary and/or criminal sanctions.

11.2 Definitions

Sexual Abuse: As defined by the National Standards to Prevent, Detect, and Respond to Prison Rape, sexual abuse includes sexual abuse of an inmate by another inmate, and sexual abuse of an inmate by staff.

1. Sexual abuse of an inmate by another inmate includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:
    a. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight.
    b. Contact between the mouth and the penis, vulva or anus.
    c. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument
    d. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

2. Sexual abuse of an inmate by staff includes any of the following acts, with or without the consent of the inmate. **Any sexual interaction between staff and inmates is strictly prohibited**.
    a. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight.
    b. Contact between the mouth and the penis, vulva or anus.
    c. Contact between the mouth and any body part where the staff member has the intent to abuse, arouse or gratify sexual desire.
    d. Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member has the intent to abuse, arouse or gratify sexual desire.
    e. Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member has the intent to abuse, arouse or gratify sexual desire.
    f. Any attempt, threat, or request by a staff member to engage in the activities described above in paragraphs a-e of this section.
    g. Any display by a staff member of his/her uncovered genitalia, buttocks, or breast in the presence of an inmate
    h. Voyeurism by staff

Sexual Harassment: As defined by the National Standards to Prevent, Detect and Respond to Prison Rape, sexual harassment includes:

1. Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate directed toward another.
2. Repeated verbal comments or gestures of a sexual nature to an inmate by a staff member including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures. **Any sexual interaction between staff and inmates is strictly prohibited.**

Staff: The term "staff" when used in this section includes employees, vendors, contracted staff, volunteers, professional visitors, and interns.

Voyeurism: As defined by the National Standards to Prevent, Detect and Respond to Prison Rape, voyeurism is an invasion of privacy of an inmate by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.

11.3 Reporting Procedures

All incidents, suspicions, or allegations of sexual abuse, sexual harassment, and/or related retaliations can be reported by:

- Speaking with ANY STAFF MEMBER
- Writing an inmate communication or grievance form to ANY STAFF MEMBER
- Using the inmate telephone system
    - Press 1 for English (2 para Español), Press 0 to make a Collect Call, Enter your 8-digit Permanent number, followed by your 6-digit TID number, Press #911 as the number you are calling.
- Calling the PA Department of Corrections "Sexual Abuse" Reporting Line: 1(844) 429-5412. This may be done anonymously.

Friends and family can report allegations of sexual abuse, harassment, or related retaliation by:

- Speaking with any staff member and requesting to speak with a supervisor
- Calling the main jail number (610) 208-4800 and requesting to speak with a supervisor
- Calling the PA Department of Corrections "Sexual Abuse" Reporting Line: 1(844) 429-5412.

If you have been sexually abused:

- Tell any staff member as soon as possible to immediately report the incident and maximize the potential for preservation of evidence.
- Although it may be difficult, seek medical attention BEFORE you shower, eat, drink, change clothing, brush your teeth, or use the bathroom. This is to preserve evidence.
- Save any other evidence of the abuse.
- Give as much information as possible to the questions you are asked. Share any concerns for your safety with staff, including threats of retaliation.
- Use the available victim advocates, counselors or mental health staff for support.

11.4 Prevention and Detection

You will be assessed for risk of sexual victimization or abusiveness within seventy-two (72) hours of intake. These screenings shall be initiated in the PREA Risk Assessment System by medical personnel during intake medical assessments and shall be completed by treatment staff within the seventy-two (72) hour period. No sooner than fifteen (15) days, but no later than forty-five (45) days from your arrival, you will be reassessed regarding your risk of victimization or abusiveness based upon any additional or relevant information received since your intake screening. As a result of these screenings, you will be assigned a PREA Classification.

The BCJS and Institutional Classification Committee ICC will make appropriate housing assignments with consideration given to PREA Classifications. The information shall be used to assist in housing, bed, work, education, and programming assignments. If it is learned that you are subject to substantial risk of imminent sexual abuse, staff shall take immediate action to protect you from victimization.

Mental health staff shall attempt to conduct an evaluation on all known inmate-on-inmate abusers within sixty (60) calendar days of learning of such history and offer treatment when deemed appropriate. Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse and to inform inmates of the practitioner's duty to report, and the limitations of confidentiality at the initiation of services.

11.5 Medical, Mental Health, and Additional Services

11.5.1 Medical Services:

If you are the victim of sexual abuse, you will be provided appropriate medical care in accordance with the medical department's protocols for handling sexual abuse. This may include a wide range of services that include examination, testing for sexually transmitted diseases, counseling, prophylactic treatment, follow-up care, and mental health referral. There will be no charge to you for any of these services.

11.5.2 Mental Health Services:

If you are referred to mental health by medical services following an allegation of sexual abuse, you shall be seen by an independently licensed mental health professional that will complete further screenings or assessments consistent with policy. You may also request mental health services if you are the alleged victim of sexual harassment. There will be no charge to you for any of these services.

11.5.3 Additional Services:

If you allege to be a victim of sexual abuse, you will be given access to victim advocates for emotional support, if needed. You will be provided the mailing addresses and telephone numbers, including toll-free hotline numbers of local, State, or national victim advocacy or rape crisis organizations.

11.6 Investigations

All reports of sexual misconduct and retaliation shall be thoroughly investigated and the findings documented in writing. You will not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation. Report all instances of retaliation to a supervisor or the designated investigator.

11.6.1 Sexual Abuse Investigations:

A final decision on all allegations of sexual abuse shall be issued by the designated investigator within ninety (90) calendar days of the initial filing. If ninety (90) calendar days is not sufficient to make an appropriate decision, the investigator may extend the decision up to seventy (70) calendar days. You will be notified in writing of such extension and will be provided a date by which a decision will be made. Following an investigation into an allegation of sexual abuse, the investigator shall inform you as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.

11.6.2 Sexual Harassment Investigations

A final decision on all allegations of sexual harassment shall be issued by the designated investigator within fifteen (15) days of the initial filing. If fifteen (15) days is not sufficient to make an appropriate decision, the investigator may extend the decision up to ten (10) calendar days. You will be notified in writing of such extension and will be provided a date by which a decision will be made. Following an investigation into an allegation of sexual harassment, the investigator shall inform you as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.

11.7 Retaliation Protection

If you report sexual abuse or sexual harassment or cooperate with a sexual abuse or sexual harassment investigation, you will have the right to be free from retaliation. Protection measures may include, but are not limited to, cell assignment changes or housing unit transfers for either you or the alleged retaliator. Treatment and counseling services will be available to you if you fear retaliation for reporting sexual abuse or sexual harassment, or for cooperating with investigations.

Knowingly making a false report of sexual abuse/sexual harassment, or knowingly providing false information during an investigation of a sexual abuse/sexual harassment allegation is strictly prohibited and will result in a misconduct citation being issued to you. You may also be referred to law enforcement for criminal prosecution. The consequences for false reporting or providing false information shall not be considered retaliatory.

connections work
changing lives.
improving communities.

REENTRY RESOURCE CENTER

Need help accessing community resources?

If you have current or prior involvement with the justice system, **Connections Work** can help you!

Basic Needs

Answer Questions & Make Referrals

Next Steps

ABOUT US

The Reentry Resource Center (RERC) is operated by **Connections Work** and is a single point of contact for individuals with current or prior justice system involvement. Those seeking assistance from the RERC will undergo a brief assessment by our staff, which will help to determine their immediate needs. Assistance for basic needs along with information and referrals to services in the community will be provided.

CALL OR COME INTO THE OFFICE

Connections Work
19 N. 6th Street
4th Floor
Reading, Pa 19601
Monday-Friday 8:00-5:00
Phone: 484-260-3860