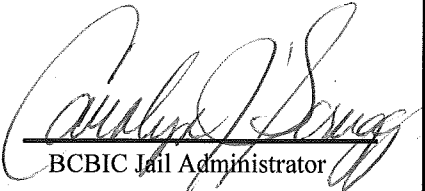
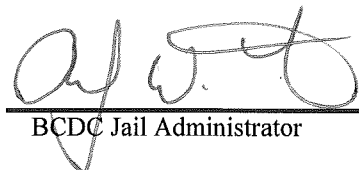
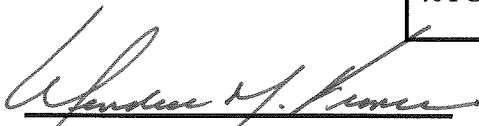



Facility Directive



Title: Inmate Rights	Facility Directive Number: CRDET.200.0003
Related MD Statute/Regulations: ADA 42 U.S.C.	Supersedes: PDSO 185-1, titled Protection of the Detainee Population issued on May 31, 2007
Related ACA Standards: 4-ALDF-6A-07	Responsible Authority: <div style="text-align: center;">  <hr style="width: 80%; margin: 0 auto;"/> BCBIC Jail Administrator </div> <div style="text-align: center;">  <hr style="width: 80%; margin: 0 auto;"/> BCDC Jail Administrator </div>
Related Department of Public Safety and Correctional Services Directives: Inmate Rights; Medical Testing Ban; Detainee Orientation; Inmate Transport; Use of Force; Supervision of Inmates; Separation of the Sexes; Accommodations for Persons with Disabilities; General Food Services Procedures; Heat Stratification Protocol; Arrestee Entrance/Refusal; Periodic Medical Evaluations, Post-Intake; Routine Health Services; Emergency Medical Services; Licensing/Certification of Medical Personnel; Clothing Issue and Return; Personal Accommodation for; Inmate Personal Hygiene Articles; Inmate Legal Matters; Practice of Religion; Mailroom Operations; Case Management and Housing; Media Access; Recreation Program; Program Events; Personal Grooming; Provision and Control of Clothing and Linen; Awarding Diminution of Confinement Credits.	
Related MCCA Standards: .01G; .05A,B	Effective Date: October 1, 2013
	Number of Pages: 7


 Wendell France
 Regional Executive Director


 Carolyn A. Atkins
 Director of Detention

.01 Purpose

This directive establishes written policy and procedures governing inmate rights of the Central Region Detention Facilities.

.02 Scope.

A. This directive is applicable to the Central Region Detention Facilities excluding Chesapeake Detention Facility and Community supervision:

- (1) Baltimore Central Booking and Intake Center; and
- (2) Baltimore City Detention Center.

.03 Policy.

It is the policy of the Central Region Detention Facilities, that an inmate who is committed and confined to a detention facility within the Central Region have the following rights:

A. Safety and security within the facility.

(1) No inmate is subjected to:

- (a) Corporal punishment;
- (b) Personal abuse;
- (c) Personal injury;
- (d) Disease;
- (e) Property damage;
- (f) Harassment;
- (g) Use of unnecessary force; or
- (h) Subjected to:
 - (i) Medical;
 - (ii) Pharmaceutical; or
 - (iii) Cosmetic experiments.

(2) An inmate is advised of pertinent information necessary for one's safety and well being regarding:

- (a) An emergency plan;
- (b) The evacuation procedure; and
- (c) Fire safety.

(3) An inmate is restrained only when necessary and with the minimum amount of force necessary to:

- (a) Maintain control; and
- (b) Security of the institution.

(4) At no time shall a detainee be:

- (a) Supervised;
- (b) Directed by; or
- (c) Under the control of another inmate.

B. Non-discrimination within the facility.

(1) An inmate shall not be discriminated against due to:

- (a) Race;
- (b) Religion;
- (c) National origin;
- (d) Gender;
- (e) Disability;
- (f) Sexual orientation; or
- (g) Political beliefs.

(2) The inmate shall receive:

- (a) Essential equality in living conditions;
- (b) Nondiscriminatory decision making affecting status;
- (c) The adequate recreational activities and terms of incarceration; and
- (d) Equal access to:
 - (i) Institutional programs;
 - (ii) Community programs;
 - (iii) Assignments; and
 - (iv) Resources.

(3) A violation of this provision is reported promptly to the Regional Executive Director by the Jail Administrator.

C. A nutritionally adequate diet that is:

- (1) Wholesome; and

(2) Properly prepared in a:

(a) Clean; and

(b) Sanitary environment.

D. Health care services to include:

(1) An assessment of health needs and general conditions at admission followed by a thorough physical examination; and

(2) Access to:

(a) Medical;

(b) Dental;

(c) Mental Health Services provided by a person with appropriate training and under the supervision of a licensed:

(i) Physician;

(ii) Dentist;

(iii) Psychiatrist

(d) Access to emergency treatment on a 24-hour basis; and

(e) Access to a licensed medical facility.

E. Sufficient clothing to provide for the basic need, to include:

(1) Appropriate; and

(2) Seasonal clothing for workers.

F. Adequate personal hygiene supplies and equipment, including:

(1) Toilet;

(2) Bathing; and

(3) Bedding necessities.

G. Access to the:

(1) Court;

- (2) Public Defender system;
 - (3) Private attorney;
 - (4) Appropriate criminal justice agency; and
 - (5) Attorney conferences in a private setting within the parameters of order and security.
- H. The practice of one's religion within the parameters of institutional rules and regulations. An inmate shall have access to:
- (1) Clergy;
 - (2) A spiritual advisor;
 - (3) Religious publications; and
 - (4) Religious services.
- I. Sending and receiving mail in a legal manner consistent with facility's rules and regulations:
- (1) Incoming mail is opened for the inspection of contraband, but the mail is not read; and
 - (2) Outgoing mail is not inspected.
- J. An indigent inmate is afforded a:
- (1) Reasonable; and
 - (2) Specified amount of free postage for legal mail and correspondence necessary to maintain community ties.
- K. Participate in the Case Management process. An inmate presents:
- (1) An opinion;
 - (2) A preference; or
 - (3) A request for appropriate classification assignments.
- L. Reasonable access to communication media.
- M. Being informed of facility rules and regulations and having an impartial hearing to determine guilt or innocence when charged with a violation of those rules.
- N. No penalty for rule violations shall include physical punishment.

O. A inmate shall receive:

- (1) Regular exercise;
- (2) Recreation periods; or
- (3) Passive recreation in a common room except when facility emergencies occur.

P. An inmate who engages in misconduct precludes this type of regimen.

Q. Timely computation of diminution of confinement credits by Detention staff in compliance with:

- (1) State law;
- (2) Regulations;
- (3) Institutional policy; and
- (4) Procedure.

R. Property that is not retained by an inmate shall get:

- (1) Inventoried;
- (2) Neatly and adequately stored to prevent:
 - (a) Damage;
 - (b) Loss; or
 - (c) Theft.

S. Having complaints and concerns heard through the:

- (1) Inmate Grievance Process; or
- (2) Help Request Process.

.04 Definitions.

A. In this directive, the following terms have the meanings indicated.

B. Terms Defined.

- (1) "Inmate" means as contained in §1-101 of the Correctional Services Article of the Annotated Code of Maryland.

(2) "Harassment" means to create an unpleasant or hostile situation for especially by uninvited and unwelcome verbal or physical conduct.

(3) "Indigent" means extremely poor, lacking the necessities of life.

.05 Responsibility.

There is no procedure for this directive.

.06 Attachment(s).

There are no attachments for this directive.

.07 History.

- A. This directive replaces PDSD 185-1 titled, Protection of the Detainee Population, issued on May 31, 2007.
- B. This directive supersedes provisions of existing Detention communication with which it is in conflict.

.08 Distribution.

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