



DEPARTMENT DIRECTIVE

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Title: Incarcerated Individual Advisory Council	Directive Number: PATX.200.0003
Related MD Statute/Regulations: COMAR 12.12.01.01	Rescinds and replaces: PATX.185.0001 dated April 19, 2013
Related ACA and MCCS Standards: .05G	Authorized By: <hr style="width: 100%;"/> Paige C. Jones Warden, Patuxent Institution
Related Directives: N/A	Effective Date: December 8, 2023
Variance: A facility directive is not necessary to implement and comply with this directive.	Number of Pages: 8

.01 Purpose.

The purpose of this directive is to establish and maintain guidelines for the management of Incarcerated Individual Advisory Councils within Patuxent Institution.

.02 Scope.

This directive applies to incarcerated individuals housed in the Patuxent Institution.

.03 Policy.

- A. It is the policy of Patuxent Institution to permit and manage Incarcerated Individual Advisory Councils (IACs) as a method for promoting communication between staff and incarcerated individuals.
- B. An incarcerated individual's participation in an IAC is voluntary and a privilege that may be suspended by the administration at any time.
- C. Patuxent Institution reserves the right to restrict participation in an IAC due to legitimate concerns regarding security and safety.

.04 Definitions.

- A. In this directive, the following terms have the meanings indicated.
- B. Terms Defined.
 - (1) "Administration" means the Director, Warden, Associate Director for Behavioral Sciences, Associate Director for Psychiatry, and the Assistant Warden or their designees.
 - (2) "Executive board" means an IAC executive board.

(3) Incarcerated Individual.

- (a) “Incarcerated individual” has the meaning stated in CSA, §1-101, Annotated Code of Maryland which states, “Incarcerated individual’ means an individual who is actually or constructively detained or confined in a correctional facility.”
 - (b) “Incarcerated individual” includes the term “inmate” as stated prior to October 1, 2023 CSA, §1-101, ACM.
 - (c) “Incarcerated individual” includes the term incarcerated person.
- (4) “PIW” means the Patuxent Institution for Women.
- (5) “Staff liaison” means a staff member designated to manage an IAC.
- (6) “Statutory programs” means the Eligible Person Program (EP) and Patuxent Youth Program (PY).
- (7) “Tier Representative” means an incarcerated individual elected to represent the housing unit where the individual is assigned.

.05 Responsibilities/Procedures.

A. Incarcerated Individual Advisory Committees.

- (1) The administration may have two distinct IACs to address the needs of individuals housed in a men’s and a women’s housing unit.
- (2) Each IAC shall have an Executive Board.
- (3) Each housing unit, except as noted in §.05C, shall have a tier representative.

B. Staff Liaisons.

- (1) The administration shall appoint a clinical liaison and a custody liaison.
- (2) The staff liaisons shall:
 - (a) Serve as an intermediary between the administration and an IAC executive board;
 - (b) Manage the selection of the tier representatives;
 - (c) Serve in an advisory capacity to the IAC;
 - (d) Maintain a current IAC membership roster; and
 - (e) Maintain copies of all rosters and meeting minutes for three years.

C. Tier Representatives.

- (1) One tier representative shall be elected from the following housing units:

- (a) All housing units in the D/D Building;
 - (b) B-Wing;
 - (c) Correctional Mental Health Center-Jessup – 5th Level Only; and
 - (d) All housing units in the PIW.
- (2) To be eligible to serve as a tier representative, an incarcerated individual must:
- (a) Have been assigned to Patuxent Institution for at least six (6) consecutive months;
 - (b) Have a disciplinary record free of Category 1, 2 and 3 disciplinary infractions for at least two (2) years and no more than three (3) Category 4 and 5 disciplinary infractions for a period of at least six (6) months prior to the date of appointment;
 - (c) Have established a good institutional program/work history for at least (1) year immediately preceding the date of appointment;
 - (d) Have a projected released date of at least 12 months remaining to serve;
 - (e) Be willing to serve for the entire term;
 - (f) Be accessible to the population that elected them as a tier representative;
 - (g) Not be a validated gang member; and
 - (h) Not have previously served as a member of the IAC within the last two (2) years.

D. Executive Board.

- (1) Each IAC shall have an Executive Board consisting of a:
- (a) Chairman;
 - (b) Vice Chairman; and
 - (c) Secretary.
- (2) Executive Board Selection.
- (a) Executive Board members shall be participants in one of Patuxent Institution's statutory programs.
 - (b) The administration shall select the members of an IAC Executive Board:
 - (i) The Chairman shall be selected from the IAC participants who submit a letter of interest; and.
 - (ii) The Vice Chairman and Secretary shall be selected from the elected tier

representatives.

(3) Duties of the Executive Board.

(a) The Chairman is responsible for:

- (i) Representing their respective populations in their entirety;
- (ii) Ensuring that all IAC work is completed, to include meeting agendas, memoranda, letters, minutes, and proposals of the IAC;
- (iii) With the approval of the administration, implementing all decisions made by the IAC; and
- (iv) With the approval of the staff liaisons, assigning additional duties as needed to the IAC Vice Chairman and Secretary.

(b) The Vice Chairman shall:

- (i) Assume all duties and responsibilities in the absence of the Chairman and will become the Chairman if the elected Chairman is no longer able to serve; and
- (ii) Represent the housing area or unit that elected them as a tier representative.

(c) The Secretary is responsible for:

- (i) Recording the minutes of all meetings;
- (ii) Maintaining an up-to-date roster of all IAC members;
- (iii) Preparing IAC correspondence;
- (iv) Publishing statements, minutes, and agendas of the IAC with the approval of the administration;
- (v) Maintaining all meeting attendance records and notifying the staff liaisons of any absences; and
- (vi) Representing the housing area or unit that elected them as a tier representative.

E. Election Process.

- (1) Elections shall be held once a year during the month of August.
- (2) Notice of the annual election shall be posted no later than August 10th.
- (3) An incarcerated individual, who meets the criteria in [§.05\(C\)\(2\)](#) of this directive, may submit a Letter of Interest to the custody or clinical staff liaison indicating their desire to serve on the IAC.

- (4) Incarcerated individuals who wish to serve as the chairman of the IAC Executive Board and who meet the criteria in .05(C)(2) of this directive, may submit a Letter of Interest to the designated Clinical Staff Liaison.
- (5) Letters of Interest shall be submitted within seven (7) days after the announcement of the election.
- (6) Upon receipt of a Letter of Interest, the staff liaisons shall screen the potential candidate's record to ensure the incarcerated individual is fully qualified to be a tier representative.
- (7) At least five (5) working days prior to the election, the custody staff liaison shall post the names of all qualified candidates in each of the housing units.
- (8) The date of the election shall be determined by the administration, but shall occur no later than August 31st.
- (9) Elections shall be conducted under the supervision of custody staff.
- (10) Incarcerated individuals are not permitted to view or touch another incarcerated individual's ballot.
- (11) Each housing unit will have a scheduled time slot in which to cast their ballots.
- (12) Once balloting has been completed, the ballots will be delivered by a staff designee to the staff liaisons for tabulation.
- (13) In the event no one wishes to be considered for election to the IAC from a housing unit, the staff liaisons shall make a recommendation to the administration.
- (14) An election of a tier representative may be challenged by an incarcerated individual on the affected housing unit if the incarcerated individual can produce factual documentation of fraud or election irregularities that conflict with the policies and procedures in this directive.
- (15) When a challenge is filed, the following provisions shall be followed:
 - (a) Challenges must be filed with a staff liaison within 10 calendar days of the election;
 - (b) A staff liaison shall submit all documentation to the administration for processing;
 - (c) The administration shall determine the merits of the challenge, and following their review decide to:
 - (i) Uphold the election results; or
 - (ii) Hold another election.
- (16) The administration's decision shall be final.
- (17) A staff liaison shall post the names of the elected tier representatives within three (3) working

F. Removal from the IAC.

- (1) A member of an IAC, to include the Executive Board, may be removed from office if the member has:
 - (a) Been assigned to administrative segregation pending transfer;
 - (b) Been determined to be a threat to the safety and security of the staff, incarcerated individuals, and facility;
 - (c) Failed to attend a meeting without a valid excuse (e.g. sick call, work detail, or a court appearance); or
 - (d) Demonstrated a lack of skills or failed to carry out assignments of the IAC;
- (2) A member of an IAC, to include the Executive Board, shall be removed from office if the member is:
 - (a) Validated as a gang member;
 - (b) Assigned to disciplinary segregation; or
 - (c) Not properly discharging their assigned IAC duties, such as:
 - (i) A second unexcused absence from an IAC meeting (e.g. sick call, work detail, or a court appearance);
 - (ii) Routinely demonstrating a lack of skill or failure to carry out assignments of the IAC;
and
 - (iii) Failure to abide by the rules of the IAC.
- (3) Reasons for removal shall be appropriately documented by the Chairman and submitted to a staff liaison, who shall forward all available information to the administration.
- (4) In the event that the Chairman is removed from office, the reasons for removal shall be appropriately documented by a staff liaison, who shall forward all available information to the administration.
- (5) An appeal of a removal from an IAC shall be submitted to the administration, who shall decide the merits of the appeal and make the final decision.

G. Special Elections.

- (1) In the event of a vacancy on the IAC resulting from a transfer to another tier, resignation of the tier representative, release from custody, or removal from office, a special election may be conducted at the discretion of the administration.

- (2) Special elections shall only be conducted on the affected housing unit as established in [§.05C\(1\)](#) of this directive.
- (3) If a special election is held, the new tier representative's term of office shall end at the next election.

H. IAC Meetings.

- (1) IAC meetings are not the appropriate forum to discuss incarcerated individuals' personal problems and complaints. This forum is for discussing matters pertaining to general correctional issues.
- (2) The IAC Executive Board shall meet with the administration monthly, and the meeting shall not exceed one (1) hour in length.
- (3) Additional meetings beyond the regular monthly meeting may be called by the administration as necessary for special programs, to provide information, or to discuss new or changed policies and procedures.
- (4) There will be designated areas in the correctional facility for use by the Executive Board that will have the appropriate supplies (e.g., paper, pencil, typewriter.). This designated area is for the sole use of the Executive Board members for Executive Board business only.
- (5) Each IAC will be allowed to meet without the administration to determine the agenda for the monthly meeting between an executive board and the administration. The following shall occur prior to the authorization of the meeting:
 - (a) The IAC chairs shall submit the time and location of each IAC General Meeting for review and approval; and
 - (b) The staff liaisons shall review the time and location of each IAC General Meeting and approve, if suitable.
- (6) No IAC General Meeting is to occur without staff liaison approval.
- (7) The agenda for the meeting with the administration shall be submitted to the Director's Office by the chairman at least one (1) week prior to the scheduled meeting.
- (8) An IAC Executive Board Secretary shall keep minutes of all meetings to include, at a minimum the:
 - (a) Date and time of the meeting;
 - (b) Names of members present and absent;
 - (c) Reports and items on the agenda with a brief summary of action taken, not taken, or to be taken;

- (d) Motions, when applicable, to include:
 - (i) Motion made (i.e., approval of minutes, suggestions concerning operations, and policy);
 - (ii) Who made each motion;
 - (iii) Who seconded each motion; and
 - (iv) Vote results.
- (9) The minutes of the monthly meeting between an IAC Executive Board and the administration shall be:
 - (a) Submitted to the administration for review and approval within one (1) week after the scheduled meeting; and
 - (b) Made available to members of the IAC.
- (10) If the IAC wishes to have specific members of the Patuxent staff, other than the administration, or other external parties present at the monthly meeting, a written request shall:
 - (a) Be made at least one (1) week in advance of the monthly meeting to the Director; and
 - (b) Explain the reason(s) for the request.
- (11) The Director or designee shall make the final decision to approve or disapprove all requests.

.06 Appendix.

None.

.07 History.

- A. This directive rescinds and replaces PATX.185.0001, *Inmate Advisory Council*, dated April 19, 2013.
- B. This directive supersedes provisions of any other prior existing communication with which it may be in conflict.

.08 Distribution.

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S – IAC Members