

Mississippi
Department
Of
Corrections



Inmate
Handbook

Revised 2023

MISSISSIPPI DEPARTMENT OF CORRECTIONS

INMATE HANDBOOK

INTRODUCTION

The purpose of this handbook is to provide general information to you and others interested in the Mississippi Department of Corrections (MDOC). The most current policy will become effective, regardless of what information is in this handbook.

The handbook is not a guide to the detailed policies of the MDOC (which are subject to change) or all procedures in effect at each MDOC facility. That information will be made available to you during the facility's reception and orientation program. The material in this handbook will help you understand what you will encounter when you enter the MDOC, and help you in your adjustment to facility life.

You are to keep this handbook from the time it is given to you until you are released. You are expected to conduct yourself in an orderly and mature manner and to respect the rights of others. Some of the programs and services available to you are mentioned in this handbook. You may get more information about available programs or services by sending a request slip to the staff member in charge of the program or service. You are encouraged to discuss your needs, goals, and interests with staff. Your conduct and attitude will be observed and will be reviewed by staff when they consider you for programs, pre-release, parole, and other privileges. You should try to make good use of the time you are in the MDOC by using programs and services to better yourself.

You are responsible for knowing and following all of the MDOC's rules and regulations that directly affect you. To review current policies and procedures, you may request them through the Inmate Legal Assistance Program. Close observance of MDOC rules and regulations will prove beneficial in receiving parole or early release consideration, possibly a choice work assignment, plus a considerable number of privileges that will make the period of confinement both rewarding and less stringent. Failure to comply with the rules and regulations will result in failure to earn those privileges and deter favorable consideration for programs that can shorten the inmate's stay in the MDOC. Failure to comply may, in some cases, be justifiable cause for the inmate to receive punishment and possibly an additional sentence.

Most inmates desire to serve their time in the best and most effective way possible and, as soon as possible, gain their release through Earned Release Supervision (ERS), parole, or discharge.

There are many beneficial programs available to inmates, and it is anticipated that each inmate will fully take advantage of all programs which serve their individual needs. While housed in the Central Mississippi Correctional Facility (CMCF) Reception and Classification Center (R&C), staff members and specialists will counsel with and assist each inmate in making the best choice of a suitable program. However, each inmate is personally responsible for his/her own progress, work performance, educational development, and social growth.

CHAPTER I

ADMISSION, ORIENTATION, AND CLASSIFICATION

I. ADMISSION AND ORIENTATION

Male inmates committed by the courts to the MDOC or returned as parole, probation, ISP, ERS, or suspension violators are first assigned to designated housing for unclassified offenders at CMCF. Female inmates committed by the courts to the MDOC or returned as parole, probation, ISP, ERS, or suspension violators are first assigned to a designated unclassified unit.

Upon completion of initial admission processing, inmates are transferred into housing units where they will complete further admission processing. This will include testing, background interviews, psychological evaluations, and an explanation of the rules and regulations which all inmates are expected to conform with and obey.

Prior to completion of initial classification all male and female inmates are treated as Close custody (close supervision). Inmates remain in this category until the recommendation by the initial classification case manager is approved or disapproved by the Director of Classification or designee.

During Admission and Orientation inmates are given an introduction to the initial classification process, MDOC orientation, attend a class on HIV/AIDS, which explains the means of contracting the virus and prevention methods, have DNA testing, Prison Rape Elimination Act training, and are issued a copy of the MDOC Inmate Handbook.

Each correctional housing unit has a Case Manager and or Unit Administrator assigned to assist in answering questions, and should be the first points of contact in dealing with any matter concerning an inmate's stay.

II. CLASSIFICATION (DEFINITION AND INTENT)

Classification – a process by which information is compiled concerning offenders and based upon this information, the housing unit, earned time status, custody level and program placement is determined

A. **Objective Classification System**

1. Each inmate will be scored using the Objective Classification system during initial classification to establish a custody rating.
2. This custody rating is based upon an assessment of items that are scored on a numerical scale.
3. An inmate may be reassessed using the Objective Classification reclassification assessment to review and update his custody rating throughout his incarceration by the MDOC. The purpose of the reassessment process is to ensure the inmate is placed in the least restrictive environment while ensuring public safety and the security of the institutions, staff, and all inmates.
4. The Initial Classification Hearing Officer will recommend each inmate a custody level and classification status. The Director of Classification or designee will approve or disapprove the recommendation from the Initial Classification Case Manager.

B. **Classification Criteria**

The Initial Classification Hearing Officer shall use the following criteria to assign each inmate a classification level:

- Nature of offense and surrounding circumstances;
- Behavior and attitude following arrest and prior commitments;
- Sentence data;
- Prior criminal history and NCIC;
- Personal and social factors;
- Adjustments to incarceration;
- Evaluations and recommendations;
- Security requirements;

C. **Custody Designations**

All privileges, to include level of supervision within and outside of the institution, access to programs, activities, jobs, canteen, visits, and telephone, are based on the inmate's custody level.

Minimum Custody

This is a custody which affords the inmates a more relaxed atmosphere and an extension of privileges. Minimum custody requires the ability to work satisfactorily with minimum supervision or security control. Minimum custody inmates will be placed in one of the following statuses.

- Community Minimum Status has the least security and supervision required of an inmate, and usually this type of inmate works in the community.
- Non-Community Minimum Status has the least security and supervision required of an institutionalized inmate, and usually this type custody is housed under minimum security circumstances and may participate in activities on institutional grounds without direct staff supervision. Off grounds, the inmate must be supervised by trained correctional staff.

Medium Custody

This is a custody where the inmate has displayed a desire to be considered responsible and presents a moderate risk. Medium custody inmates are housed in a medium security correctional facility and must be under direct/constant armed correctional supervision when engaging in activities outside the perimeter of the correctional facility. Inmates are permitted to move about the housing unit or security work area, but are to be within direct observation of correctional staff.

Close Custody

Close custody required close supervision where the inmate must be under positive security control at all times. Offenders assigned to close custody in general population will be confined to a security cell or dormitory style unit and housed with same custody offenders.

Death Row

Inmates committed to the MDOC under a sentence of death and are housed in a facility/unit deemed appropriate by the MDOC Commissioner.

Death Row status requires the highest level of custody supervision available. Inmates in this status are precluded from assignment to a principal custody designation.

CHAPTER II

PROGRAMS

I. ADULT EDUCATION/VOCATIONAL EDUCATION

The Adult Education Program (AE) is available to those inmates who do not have a high school diploma or its equivalent, such as the High School Equivalency (HSE).

Modern educational techniques and equipment are available to those inmates who wish to participate in the AE Program. A program of study covering Reading, Mathematics, English, Social Studies, and Science is offered to help the inmate develop an acceptable degree of skill in these prime areas of education. An AE student may earn a diploma of high school equivalency by successfully passing a state approved equivalency test.

The AE program works in cooperation with the vocational school. If an inmate wishes to participate in a vocational program, but can not perform at the required academic level, he may enroll in the AE program. Upon successful completion of AE, he may then re-apply for vocational school.

Selection Process for Screening Inmates for Adult Education

1. A referral for placement in either an academic or vocational program is made.
2. The Vocational Counselor and Academic Instructor review referrals to determine areas of interest.
3. Release dates are checked in order to give priority to inmates with less than five years to serve before parole eligibility or release date.
4. Applicants are interviewed, and the rules and regulations for vocational and academic programs are discussed.
5. Interested applicants are given the Tests of Adult Basic Education (TABE).
6. Test results are evaluated for eligibility.
7. Eligible students are placed in the academic/vocational programs.

II. CAREER SERVICES

The purpose of Career Services is to prepare inmates to be successful in the workplace upon their release from prison.

The program services include:

- Employment skills training and life skills training;
- Cognitive Behavior Training (Thinking for a Change; Moral Recognition Therapy)
- Job search assistance (job coaching, job referrals, and employer contacts) geared to placing inmates in gainful employment;
- Follow-up services to inmates completing the program through coordination with Community Corrections Re-Entry Assistance Program, outside agencies; and or
- Individual and group counseling to all participants.

Enrollment Criteria - Institutions

The following enrollment criteria are used for selecting inmates to participate:

1. Eligible for flat time or earned release supervision consideration within 3-6 months, if in trusty status or eligible for trusty status;
2. Eligible for release consideration within 3-6 months, if not in or eligible for trusty status;
3. Within three months of their parole eligibility date;

Referrals for participation are received or obtained from case managers, the Parole Board, security personnel, self referrals via letters, MDOC printouts and other MDOC personnel.

III. ALCOHOL AND DRUG PROGRAM

The purpose and goals of the Alcohol and Drug (A&D) Program are to identify the need for and provide services to all eligible inmates with a history of alcohol/substance abuse and or drug sales/distribution.

Alcohol and Drug Programs can be short term (3 months in length), long term (6 months in length) or therapeutic community (6-12 months). These programs are offered at various facilities within MDOC.

A. Enrollment Criteria

Enrollment criteria can be found in policy. Those individuals enrolled in an Alcohol and Drug Treatment Program must be willing to sign/abide by the A&D Treatment contract. Inmates in the community-based A&D program will meet specific criteria for enrollment in A&D Treatment programs as established by the Deputy Commissioner of Community Corrections.

B. Referral Process

Inmates can be referred to MDOC A&D Treatment Programs from a variety of sources such as the court system, Parole Board, Case Managers, Security Personnel or themselves.

C. Aftercare

The discharge planning process includes referral to community agencies and treatment facilities as needed. It also includes referral to self-help community resources such as AA or NA in addition to continued follow-up and care with direct assistance from MDOC treatment staff and or other therapists in the inmate's home community. An inmate's progress in meeting recovery goals is monitored through regular contact by MDOC field officers.

V. Religious Program/Chaplaincy Services

- A.** MDOC provides all eligible inmates with the opportunity to exercise legitimate religious beliefs in a manner consistent with the security and orderly operation of the facility.
- B.** Upon entering MDOC through R&C, each inmate is required to complete a Chaplaincy Information Form (CIF) which indicates next of kin information necessary to verify critical illness or death of family members. In an emergency, inmates should notify family members to contact the unit chaplain of their housing unit in order to verify and process information. The CIF form also indicates the inmate's religious preference and is important in planning programs of support to faith and tenets of practice.
- C.** The Religious Programs chaplain will normally be the staff person to notify inmates regarding emergencies related to critical illness or death of family members and to assist with making application for an emergency suspension to the facility administrator if warranted. Counseling and prayer will be provided as needed. Eligible inmates may be approved for emergency escort to spend time with family during a hospital or death circumstance.
- D.** Unit Religious Programs chaplains assist inmates to attend religious services as identified by their religious preference statement. Inmates may attend such group activities as long as they do not pose disruption to the orderly operation of the facility. Any disruptive behavior will be dealt with individually and may determine that the inmate is not approved to be involved in group activity.
- E.** Inmates in administrative segregation, disciplinary detention, protective custody, or death row situations are assisted by Religious Programs chaplains to carry out approved religions faith practices on an individual basis.
- F.** Pastoral visitation by inmate's designated clergy leader will be coordinated through the Religious Programs chaplain.
- G.** Inmates may receive religious literature appropriate to their faith, which is not derogatory toward other racial or religious faith groups and is approved through the Religious Programs chaplains.
- H.** Inmates may participate in religious correspondence courses through the mail upon prior approval through the Religious Programs chaplain.
- I.** Inmates will be assisted by Religious Programs chaplains to participate in activities (i.e. worship, study groups) related to their stated religious preference. Disruptive behavior on the part of any individual may result in disapproval to meet within group activities. Inmates in administrative segregation, disciplinary detention, protective custody, death row or other lock-down situations will be assisted by the chaplain to practice their faith individually.
- J.** Inmates are able to seek chaplaincy services informally by filling out a request form available in the housing unit.

CHAPTER III

INMATE EMPLOYMENT AND JOB ASSIGNMENT

I. EMPLOYMENT

All inmates are required to work a scheduled number of hours a day, and will work according to their Medical Class and or Level of Care as indicated below:

A. **Medical Class One**

Good to excellent physical condition; physically capable of handling all work/program assignments.

B. **Medical Class Two**

Average to good physical condition; is capable of exerting sustained effort over long work periods, is physically capable of most work/program assignments; disability, if any, will not be jeopardized by such a general assignment.

C. **Medical Class Three**

Fair to average physical condition; is capable of sustaining effort for only moderate periods; limitations may affect some aspect of work/program/housing assignment considerations.

D. **Medical Class Four**

Poor to fair physical condition; limited physical capacity or stamina; can exert sustained effort for short periods only; limitation(s) may require special considerations.

E. **Medical Class Five**

*work assignment, and may require special housing considerations.

LEVEL OF CARE

Level A. No Mental Health Concerns.

Level B. Mental Health Intervention.

Level C. Ongoing Mental Health Treatment.

Level D. Chronic Mental Health Treatment.

Level E. Inpatient Mental Health Treatment.

II. JOB ASSIGNMENTS

Qualified offenders will be eligible for a diverse menu of work assignments.

A. The inmate must request a job change through his case manager or Unit Management Team.

B. The inmate will be assigned or reassigned jobs by the Director of Offender Services or designee.

C. The inmate must have a completed Inmate Staff Request on file prior to going to work.

Inmates housed at MSP, SMCI, CMCF, WGCF and MCCF may receive incentive pay if assigned to a job approved by the Commissioner to receive said pay.

Some inmate's job assignments or work places will require integrity, responsibility and security precaution and will be referred to as Sensitive Placement Job Assignments.

Criteria for Sensitive Placement

- No STG affiliation
- No out-of-state or federal detainer(s) for violent offense or escape
- No prior escapes within the last five years
- No assaultive Rule Violation Reports within one year
- Inmates must test negative for the use of alcohol and/or drugs

III. MERITORIOUS EARNED TIME (MET)

MET is a discretionary grant of earned time that differs from regular Earned Time Credit, and is for good conduct and performance. There is no property or liberty right attached to MET. An inmate may not earn MET and Trusty Time for the same program, project, or work assignment.

A. **Inmates will not receive MET if they have:**

- Received a mandatory or habitual sentence;
- Assigned to a maximum-security facility for disciplinary reasons;
- Have not discharged entire sentence for conviction of a sex crime;
- Conviction of capital murder, murder (homicide), attempted capital murder, attempted murder (homicide), or 2nd degree murder;
- A life sentence;

- Have not serviced the remainder of their sentence for ERS violation;
- Been found guilty of a minor RVR within the past three months or a serious or major RVR within the past six months.

B. Inmates may be granted MET for the following:

- Participation in educational or instructional programs;
- Regular institutional work;
- Achievement of certain educational benchmarks;
- Satisfactory participation in approved work projects; and or
- Satisfactory participation in special incentive programs.

IV. TRUSTY STATUS

A. Inmates may be recommended for Trusty Status based on institutional needs, outside labor crew needs and the inmate's ability/skill. An inmate in trusty status may be awarded a trusty time allowance of 30 days reduction of sentence for each 30 days of participation in approved programs. Approved programs may include, but not be limited to the following:

- Community based work program;
- Joint State County Work Program (JSCWP);
- Road crews;
- Sensitive placement;
- Mississippi Prison Industries (MPIC);
- MDOC classified county jail support;
- Mobile work crew;
- Governor's Mansion;
- Essential offender unit support;
- Satisfactory participation in work project
- Satisfactory participation in any special incentive program;
- Satisfactory participation in education or instructional program;

B. The inmates being considered for trusty status must meet special classification criteria for the appropriate custody level.

C. Any Inmate who refuses a job assignment or is removed from a job by a work supervisor or a Facility's Controlling Authority, may be removed from that status.

D. Inmates are NOT eligible for trusty status if they have:

- A conviction for trafficking under MCA 41-29-139 including attempted trafficking or accessory after the fact or was convicted for a violation of MCA 47-5-198 of the sale, possession or use of controlled substance or narcotic drug within a facility.
- Been convicted of capital murder, murder (homicide), attempted capital murder or attempted murder (homicide), 2nd degree murder;
- Been assigned to a maximum security unit for disciplinary reasons;
- A life sentence;
- Not discharged the entire sentence for a conviction of a sex crime;
- A mandatory or habitual sentence.
- Has not served the mandatory time required for parole eligibility for a conviction of armed robbery, armed carjacking or drive by shooting.

CHAPTER IV

MEDICAL, DENTAL, AND MENTAL HEALTH SERVICES

I. GENERAL

MDOC, through a contractual agreement, provides comprehensive medical, dental, and mental health services to all incarcerated Inmates located at the three major institutions, county regional facilities, community work centers and restitution centers.

A. **Medical Services**

Healthcare providers (i.e. physicians, dentists, psychiatrists, nurse practitioners, nurses, and other medical services' staff) will meet the medical needs of inmates through scheduled visits and emergency care. Services are available 24 hours a day 7 days a week. A hospital is located at MSP and infirmaries are located at some MDOC facilities to house inmates in need of more acute care.

B. **Dental Services**

Dentists and dental services are available at the major institutions. Inmates are provided a dental exam every two years based on a Dental Classification Treatment Plan and by inmates submitting a Medical Services Request Form for dental treatment. All requests for dental care will be reviewed, and if necessary, scheduled for the dentist based on the priority of need.

C. **Mental Health Services**

The goal of the mental health services is to provide for the detection, diagnosis, treatment, and referral of inmates with mental health problems and to provide a supportive environment during all stages of each inmate's period of incarceration. Mental health services vary from institution to institution, but psychologists, psychiatrists and mental health staff are available at the institution or by referrals.

II. HOW TO GET HELP

The inmate requesting medical services should fill out a Medical Services Request Form (previously called a "Sick Call Request"), sign, date, and place the completed form in the designated area in the unit. The Medical Services Request Form will be collected by the medical department.

Medical staff will review the Medical Services Request Form to determine if the inmate will be seen immediately or can be scheduled for regular sick call. The inmate's request for medical services will be triaged within 24 hours of receipt of the request.

Medical staff will respond to any emergency.

A qualified healthcare professional shall visit inmates in segregation on a daily basis, to address the healthcare needs and to pick up Medical Services Request Forms.

Complaints for the quality of healthcare services shall utilize the Administrative Remedy Program.

Clinics are normally open during regularly scheduled hours Monday through Friday.

III. EMERGENCY MEDICAL, DENTAL, AND MENTAL HEALTH SERVICES

Emergency services are available 24 hours per day 7 days a week. Inmates not housed in a major institution will be provided emergency services as directed by the medical staff at the parent institution. The inmate may receive an RVR for requesting emergency services in a non-emergency situation.

IV. PROSTHESES AND ORTHODONTIC DEVICES

Prostheses and orthodontic devices will be proscribed when medically necessary.

V. INMATE PARTICIPATION IN RESEARCH

It is the policy of MDOC that inmates will not be used for medical, pharmaceutical, or cosmetic experiments. This policy does not preclude individual treatment of an inmate based on his or her need for a specific medical procedure that is not generally available.

VI. MALINGERING OR FEIGNING AN ILLNESS

Inmates will be subject to disciplinary action for abusing medical, dental, or mental health services by malingering or faking an illness.

VII. PAYMENT FOR SERVICES

A. **Healthcare charges**

- No inmate will be refused medical, dental, or mental health services because of financial status.
- All inmates will be charged \$6.00 for each request for medical, dental, or mental health service. Inmate banking will deduct this fee from the inmates' account. Any disputes of medical charges should be referred to medical services.
- Indigent inmates are those without sufficient funds to pay the assessed fee at the time of receiving health-care services. This will result in a liability being placed on the account pending future receipt of funds.

B. **Inmates will not be charged for the following scheduled services**

- Medical staff referrals or return visits resulting from the initial request will not be charged. After release from care for an injury or illness, new requests for treatment for that injury or illness may be chargeable.
- Physicals and health assessments for transfer, lab work, X-rays, immunizations, Tuberculosis testing, treatments instituted by the institution/facility for public health reasons, initial assessments, prenatal care, work related injuries or illnesses, chronic care visit or any other medical visit/service felt non-chargeable by the medical staff.
- Mental health requests.

C. **No shows for medical appointments**

- Inmates will be notified of scheduled medical appointments within security guidelines. Please keep the scheduled appointment.
- Failure to attend a scheduled appointment will result in a co-pay and an RVR for the inmate.
- If failure to attend the scheduled appointment is the result of a documented institutional issue that prevents the inmate's attendance, there will be no penalty.
- If the failure to attend the scheduled appointment would result in a *Use of Force* incident, the inmate will not be transported to the scheduled appointment unless specifically directed by the Commissioner or designee. The inmate will be charged for the visit and an RVR will be issued.

D. **Right to refuse treatment**

- If the inmate wishes to refuse treatment, the inmate must be brought to the medical care area where the inmate will be counseled by medical staff and a Release of Responsibility Form will be executed.
- A mentally competent adult may refuse medical treatment at any time after counseling by a healthcare provider.
- The inmate must sign the Release of Responsibility Form acknowledging that the treatment has been fully explained and that he refused treatment. This Release of Responsibility Form will be witnessed by the healthcare provider who counseled the inmate.
- If the inmate refuses to sign the Release of Responsibility Form, this will be documented by the healthcare provider and witnessed by a staff member.
- In cases of contagious diseases or other communicable diseases, the inmate cannot refuse treatment; and, the healthcare personnel will treat the inmate for the welfare of the inmate, the institution, and the community at large.

VIII. MEDICATION

A. **Keep-On-Person (KOP) medication**

MDOC may allow inmates to carry non-restricted medication on their person. These procedures will be followed:

- Inmates will be required to sign for KOP medications prior to receiving the medication packet.
- All prescribed medication must remain in the original prescription contained with labels intact at all times. If an inmate is found with a medication that is not labeled according to standards with his name on the label, the inmate will be subject to disciplinary action for possession of contraband.
- Inmates who are in possession of non-restricted medications **must request refills through medical personnel five days prior to depletion of their medication.** Inmates requesting a refill must present to the medical staff the container, which will allow verification of refill information, prescription number, etc.
- Not all KOP medications are refillable.
- Medications sold in the Canteen may be in the possession of inmates.

CHAPTER V

RELEASE OR DISCHARGE FROM CONFINEMENT

I. GENERAL

MDOC computes inmates' terms to be served and establishes parole dates, ERS dates, tentative release or discharge dates, and maximum release dates.

II. JAIL TIME CREDIT

An inmate may receive jail time credit for eligible time spent in a county jail prior to the date of sentence. Jail time is reflected on the timesheet in the following manner – Pre-Sentence/Pre-Trial Jail Time. Any time spent in a county jail after being sentenced to the Mississippi Department of Corrections is not separately reflected on the inmate's time sheet as a jail time credit. Jail time is calculated into the inmate's time by deducting allowable jail time from the inmate's earliest sentence date to get the sentence begin date.

For jail time to be eligible:

- The time must be pre-sentence jail time. That is, it must have been served between the offense date and the earliest sentence date for which the inmate is currently incarcerated;
- The inmate must have been in jail on the cause number(s) for which the inmate is currently incarcerated;
- Jail time specified in a sentencing order will be posted unless it is duplicative of time the inmate has already received;
- Jail time is requested by the MDOC from the county of conviction only. If an inmate was transferred to another jail prior to conviction, the inmate must notify his case manager.

III. PAROLE

This program is a conditional release from MDOC after an inmate has successfully served a specific amount of their sentence and has been approved by the Mississippi Parole Board. State law sets forth the rules and regulations establishing parole, and establishes when an inmate is eligible to be considered for parole. Information concerning parole may be obtained from the unit case manager.

IV. EARNED TIME ALLOWANCE/EARNED RELEASE SUPERVISION (ERS)

A program whereby offenders eligible under State Code criteria may earn conditional release to community supervision by the accrual of predetermined good conduct and performance credits. Offenders have no liberty or property interest in release to ERS. It is completely discretionary and under the purview of MDOC.

Any inmate released on ERS shall retain inmate status and remain under the jurisdiction of MDOC. Only inmates with an approved in-state residence may be released to ERS.

Automatic Disqualifiers for Earned Release Allowance:

- Were convicted as a habitual inmate under §99-19-81 through 99-19-87;
- Are serving a sentence for a violation of §47-5-198 "Sale, possession or use of a controlled substance or narcotic drug within facilities; knowledge by employees; punishment for violations";
- Have forfeited their earned time allowance per order of the Commissioner;
- Were convicted under §97-9-72; fleeing or eluding law enforcement officers in a motor vehicle which resulted in death of another;
- Have not served the mandatory time required for parole eligibility for a conviction of armed robbery or attempted armed robbery; car-jacking with a deadly weapon or attempted car-jacking with a deadly weapon; and or drive-by shooting;
- Have not discharged the entire sentence for the conviction of a sex crime;
- Have not discharged the entire sentence for a conviction of Voyeurism; Trespass by Peeping Tom pursuant to §97-29-61;
- Have an out-of-state or federal detainer in their records due to pending charges;
- Have an out-of-state or federal detainer in their records and who have Mississippi sentences that include probation or post-release supervision;
- Have been sentenced by the courts to the Intensive Supervision Program (ISP) or have been returned from ISP;
- ERS violators who have not served the remainder of their sentence for which the violation was applied;

- Were sentenced to life imprisonment (Exception: An inmate may petition the sentencing court for conditional release after reaching the age of 65 or older and having served at least 15 years of their sentence);
- Were sentenced on or after May 1, 2005, for the crime of capital murder, murder (homicide), attempted capital murder, or attempted murder (homicide) or accessory before the fact of capital murder;
- Were sentenced to serve time on 2nd degree murder.

Special Circumstances:

An offender under two or more consecutive sentences will be allowed commutation based upon the total term of the sentences

- If an inmate has an ATTEMPTED ESCAPE from an adult correctional facility or jail in his incarceration history or NCIC/Rap sheet, he can be considered for ERS when he reaches his ERS eligibility date;
- If an inmate discharges an ESCAPE CONVICTIN, or ten (10) years has expired since the escape conviction, he can be considered for ERS on any additional sentence he has to serve that may be eligible for ERS.

V. INTENSIVE SUPERVISION PROGRAM (ISP)

A program used as an alternative to incarceration for offenders by the Court. Any offender that violates conditions of ISP may be arrested by correctional field officers and placed in the custody of MDOC.

CHAPTER VI

RIGHTS, RESPONSIBILITIES, AND REGULATIONS

I. GENERAL

Inmates have certain rights and duties. This chapter is provided to help inmates understand their responsibilities and obligations while in custody of MDOC.

II. RIGHTS

Inmates have the following rights:

- A. Access to courts;
- B. Access to counsel;
- C. Access to Inmate Legal Assistance Program (ILAP);
- D. Access to programs and services;
- E. Access to media;
- F. Protection from harm;
- G. Protection from unreasonable searches;
- H. Freedom in personal grooming; and or
- I. Access to a grievance procedure;
- J. Freedom from racial, ethnic, gender or religious discrimination.

III. RESPONSIBILITIES

Inmates assigned to MDOC have the following responsibilities:

- A. Obeying the orders given by the staff;
- B. Familiarizing themselves with the ILAP access procedures;
- C. Requesting assistance from the institutional/facility authorities if they are being personally or physically abused by either inmates or staff;
- D. Maintaining a civil and respectful attitude toward other inmates and all staff and visitors;
- E. Maintaining their person, their living and work area, their clothing and possessions, in a clean, healthful and safe condition;
- F. Familiarizing themselves and complying with the rules of the institution/facility as they apply to them; and or
- G. Familiarizing individuals and organizations that regularly visit or correspond with the inmates, the rules of the institution/ facility.

IV. REGULATIONS

Failure of the inmate to follow these regulations could result in disciplinary action.

A. **Identification Card**

Inmates are required to carry their identification card at all times. Institution/facility staff may require them to present their card at any time. Inmates are not to lend or give their card to any individual except a staff member. If an inmate's card is lost or stolen, he should report it to his supervising officer immediately. There is a charge for the replacement of the identification card.

B. **Bulletin Board**

Each unit will maintain a bulletin board to be read by inmates and staff. It will be the inmates' responsibility to stay informed of notices posted on these bulletin boards.

C. **Grooming Standards**

Inmates are expected to present a clean and neat appearance at all times and will have access to showers according to the Unit schedule.

D. **Hair and Beard**

1. Male inmate's hair will be kept clean and neatly cut so the hair does not fall below the collar and is not more than 3" in length. Mustaches will be neatly trimmed at all times. Beards and goatees in excess of 1/2" are not permitted for identification purposes.
2. Female inmates will keep their hair clean, neat, and properly maintained at all times.

E. **Tattooing & Body Piercing**

Inmates are not permitted to tattoo or pierce the body of themselves or other inmates. Tattooing and body piercing constitutes behavior that carries with it a high risk of HIV infection and will be considered an act of self-mutilation.

F. Inmate Clothing

Inmates will wear only institutional/facility clothing as directed and prescribed for their particular classification category, and the alteration of state-issued clothing is prohibited. The wearing of state-issue clothing in a manner not consistent with its intended appearance, “sagging and bagging” or “hip-hop” style, is prohibited.

G. Weapons/Pocket Knives

Inmates will not be allowed to either carry or possess weapons/knives of any description.

H. Authorized and Unauthorized Property of Inmates

Inmates will be allowed to receive property according to their classification category. It is against MDOC policy to give or receive anything of value from MDOC staff or other inmates.

Inmates, their property, and work areas are subject to unannounced and irregularly timed searches, as necessary to control contraband or to recover missing or stolen property. Non-intensive sensors and other techniques instead of body searches will be utilized whenever possible, with an avoidance of unnecessary force, embarrassment, or indignity to the inmate. At all times, inmates’ rights to authorized personal property will be respected.

I. In-House Rules

Each unit management team with the approval of the Superintendent/Warden/Director or designee may establish in-house rules. The in-house rules will be established according to work assigned by MDOC Policy and Procedures and the mission that is set out to be accomplished by the unit.

J. Laundry Procedure

Laundry is picked up according to unit schedule and assignment.

K. Cleaning and Maintaining Living Quarters

Inmates will be responsible for their own living areas. Unit support inmates will be assigned to keep the day area clean. All inmates must have their beds properly made, with all of their property neatly placed in their locker. The only items permitted outside the locker will be television, radio, and other approved electrical appliances. Items permitted by In-House rules are also authorized.

L. Dress Code

All caps are to be approved by the Superintendent/Warden/Director or designee, with the caps worn straight on the head with the bill of the cap facing forward. Only protective headgear may be worn inside the building. The wearing of earrings by male inmates is prohibited.

M. Addressing Staff

All inmates must address security staff by calling them by their rank and last name or by rank if their last name is unknown. All other staff will be addressed by calling them Mr. or Ms. And their last name. At no time will an inmate address staff by calling them man, woman, broad, any other slang or derogatory name or by their first name.

N. Getting along with Peers

All inmates must learn how to get along with other inmates while housed and working together. MDOC will provide inmates with their basic necessities, including, but not limited to, food, clothing and hygiene items. Inmates are encouraged to refrain from borrowing and stealing from other inmates. It is against MDOC policy and procedure for inmates to give or receive anything of value from another inmate.

O. Gang Activities

It is against MDOC Policy for inmates to have gang paraphernalia. Inmates found to possess gang-associated paraphernalia, colored bandanas, symbols, drawings, or any item that commonly represent a gang association or are observed using gang signs or signals will be subject to disciplinary action.

P. Dining Hall

To enter the Dining Hall, all inmates must be fully dressed with their shirts tucked in their pants, and must have on state foot wear. With the exception of protective headgear for inmate workers, no caps, hats, headgear, shower shoes/thongs shall be worn in the Dining Hall. When entering the Dining Hall, all inmates must be seated until the officer gives them permission to move. All talking/noise must be kept at a minimum tone. No food items are allowed to leave the Dining Hall.

Q. Count Procedures

All counts are to be taken seriously.

R. Smoking

MDOC allows smoking on ALL MDOC properties in designated areas.

V. INMATE DRUG TESTING

The Commissioner or designee may authorize random testing, targeted testing or reasonable suspicion testing for the unauthorized use and abuse of illegal substances and drugs.

CHAPTER VII

PRIVILEGES

I. GENERAL

Every privilege afforded inmates carries with it responsibility; therefore, inmates will receive the following privileges primarily based on their demonstration of responsible behavior.

II. VISITATION PROGRAM

Violation of any institution rule and regulation by the inmate or visitor will terminate the visit and may restrict the visitor from future visits and possibly lead to prosecution. Visitors, while on the grounds of any MDOC facility are subject to search of their person, vehicles, personal property or any and all items in their possession. Guns, knives, ammunition, alcohol, drugs, weapons or any instrument that could be used as a weapon or any items declared by MDOC as contraband are strictly prohibited. Contraband will be confiscated and violators will be prosecuted. Parking for visitors will be in designated areas.

Written information regarding procedures governing visitation are made available to the inmate within 24 hours after arrival at MDOC. The same information will be made available to visitors, but the inmate will be responsible for informing visitors of the rules, regulation and schedules concerning visitation. The information will include, but not be limited to the following:

- Institution address, telephone number and directions to the facility;
- Information about local transportation;
- Days and hours of visitation;
- Approved dress code and identification requirements for visitors;
- Items authorized in the visitation room;
- Rules and regulations regarding the amount of monies allowed for visitors;
- Special rules for children;
- Authorized items that visitors may bring to give to inmates; and
- Special visits (family emergencies).

III. INMATE MAIL

The guidelines regarding inmate mail, including the proper method of addressing incoming and outgoing mail, receiving general and privileged mail, magazines and books, can be found in the inmate related policies and procedures.

IV. TELEPHONE SERVICES

Eligible inmates shall have reasonable and equitable access to designated, monitored, public telephones according to designated schedules unless a reasonable and legitimate security interest exists to believe a limitation is necessary to protect public safety or institutional/facility order. The Inmate Telephone List will be updated every six months from the date of admission. Attorneys should be listed on the inmate's call list indicating that person is an attorney so that calls can be made from the unit without being monitored. If a person's phone has been blocked from receiving calls from an inmate, housed at any MDOC facilities, most regional and private prisons for any reason, they should call the telephone service provider at 1-877-650-4249. Inmates housed at EMCF should call the telephone service provider at 866-228-4031.

Any type of call forwarding or three-way calls are strictly prohibited.

V. THERAPEUTIC AND PREVENTIVE HEALTH PROGRAM

MDOC has designated recreation programs for inmate relaxation, participation, and competition. Activities will be scheduled at the discretion of the Superintendent/Warden/Director or designee.

VI. CANTEEN

Canteen privileges will be permitted according to the inmate's classification level. An inmate can spend the amount of canteen purchases as determined by MDOC Administrators.

VII. INMATE PROPERTY

Inmates will be limited to personal property as authorized by the Superintendents or Residential Facility Warden in accordance with their custody level, behavioral management level and security level. A list specifying the personal property inmates can retain in their possession will be posted in each housing unit and distributed to each inmate on admittance to the Reception and Classification Center.

Non-allowable property will be disposed of in a systematic manner. The inmate be given written notification of property disposition regulations prior to the disposal of confiscated non-allowable property. The inmate will have 14 calendar days from the date the property is confiscated to send property home by mail at his own expense.

IX. PERSONAL HYGIENE

MDOC will provide each inmate a standard issue of personal hygiene items.

- One roll toilet tissue (male) weekly
- Two rolls toilet tissue (female) weekly
- One tube toothpaste monthly
- One toothbrush semi-annually
- Two disposable razors monthly
- One bar soap weekly
- Female inmates will be issued sanitary napkins

X. CLOTHING AND LINENS

Inmates will be issued the standard clothing as follows:

- Three work shirts
- Three pairs of pants
- Three tee shirts
- Three pairs under-shorts
- Three pairs socks
- Three bath towels
- Three face towels
- Shower shoes
- One pair shoes based on assignment – standard footwear issue will be tennis shoes. Inmates in work/treatment programs requiring protective footwear will be issued boots and tennis shoes. Boots will be confiscated whenever an inmate ends a work/treatment program and no longer requires protective footwear. Inmates assigned to lockdown units will only be issued shower shoes.
- Winter wear will be issued during the winter months

Inmates in the Reception and Classification Center will be issued clothing as follows.

- One yellow jumpsuit
- Three pair of underwear
- Three t-shirts
- Three pair of socks
- Three bath towels
- Three face towels
- One pair of tennis shoes
- Female inmates will be issued five pair of underwear and three bras

Inmates will be issued standard linen and bedding as follows.

- One mattress
- One pillow
- One blanket
- One pillowcase
- Two sheets

Inmates may request replacement clothing, footwear and linens through their unit administrator.

CHAPTER VIII

ADMINISTRATIVE REMEDY PROGRAM

I. GENERAL

MDOC has installed in all of its institutions/facilities a formal administrative remedy mechanism for use by all inmates committed to the custody of MDOC. Inmates will be required to use this program before they proceed with a lawsuit. Procedures to access the program will be posted at each institution/facility.

II. DEFINITION OF ADMINISTRATIVE REMEDY

A written complaint by an inmate on the inmate's own behalf regarding the following:

- A policy within an institution/facility;
- An action involving an inmate or employee of an institution/facility;
- An incident occurring within an institution/facility; and or
- A condition in an institution/facility.

III. PURPOSE

MDOC has established the Administrative Remedy Program through which an inmate may seek formal review of a complaint relating to any aspect of their incarceration. Through this procedure, inmates shall receive reasonable responses and, where appropriate meaningful remedies. This procedure applies to all inmates confined in, or committed to MDOC.

IV. PROCEDURES

- A. Inmates are encouraged to continue to seek solutions to their concerns through informal means. However, to ensure their right to use the formal procedure, they must make their request to the Administrative Remedy Program (ARP) in writing within a 30-day period after an incident has occurred. If, after filing in the formal procedure, an inmate receives satisfactory response through informal means, the inmate shall request in writing that ARP cancel his formal request for administrative remedy.
- B. Inmates may request information or assistance in using the program from their Case Manager or from any staff member in their housing unit.
- C. The printed forms used in the process contain precise instructions for inmate participants. All instructions should be read and followed carefully by the inmate.
- D. The original letters of request to ARP should be as brief as possible. The letter should clearly indicate the terminology "this is a request for administrative remedy." The inmate should present as many facts as possible to answer all the questions who, what, when, where, and how concerning the incident.
- E. The initial complaint of an ARP and ARP appeals must be submitted through the ILAP office by completing an ILAP request form indicating ARP/ARP appeal pickup and the deadline date.
- F. The First Step Response Form ARP-2 is to be used by the inmate to continue additional steps in the process, there is no need to try to rewrite the original letter or request in this limited space. The original letter of request is available to all reviewers at each step of the process. The inmate must merely give a reason for their dissatisfaction with the previous response.
- G. If the inmate needs additional space for citing reasons for continuing in the process, they may use another page of paper. The inmate should send the original to ARP and make a copy for his/her file.
- H. Once an inmate's request for remedy is accepted into the procedure, they must use the ARP envelope that is furnished with his/her Step One response to continue the procedure. The requested information on the envelope should be filled in before forms are inserted since the forms are self-carbon. The flaps on the envelope may be tucked into the envelope for mailing, or the inmate may choose to tape or staple the envelope closed. Do not glue the envelope.

V. SCREENING

The Administrative Remedy Program Director will screen all requests prior to assignment to the First Step. If a request is rejected, it must be done for one of the following reasons, which shall be noted on Form ARP-1.

- A. The relief sought is beyond the power of MDOC to grant.
- B. The complaint concerns an action not yet taken or a decision not yet made.
- C. There has been a time lapse of more than 30 days between the event and the initial request.
- D. The inmate has requested a remedy for more than one incident (a multiple complaint).
- E. The request does not contain the phrase "this is a request for administrative remedy".

VI. ACCEPTANCE OR REJECTION

Notice of the request's acceptance or rejection will be given via Form ARP-1. If a request is rejected for technical reasons or matters of form, the inmate shall have five days from the date of rejection to file his/her corrected grievance.

VII. ABUSE OF THE PROCEDURE

- A. If an inmate submits additional requests during the period of Step One review of his request, the first request will be accepted and handled. The others will be logged and set aside for handling at the Director's discretion. A maximum of 10 requests will be logged. Requests above that number will be returned to the inmate and not filed.
- B. If a request is unclear or the volume of attached material is too great, it may be returned to the inmate with a request for clarity or summarization on one additional page. The inmate shall have five days to file his corrected grievance after notification is received.
- C. If an inmate refuses to cooperate with the inquiry into his allegation, the request may be cancelled by noting the lack of cooperation on the Form ARP-1 and returning it to the inmate.

VIII. DEADLINE AND TIME LIMITS

- A. Unless an extension has been granted, no more than 90 days shall elapse from beginning the process to ending the process. Absent such an extension, expiration of response time limits without receipt of a written response shall entitle the inmate to move on to the next step in the process.
- B. An inmate may request an extension in writing of up to five days in which to file at any stage of the process. This request shall be up to the ARP Director for Steps One and Two. The inmate must have valid reasons for the delay and must accompany their request for an extension.
- C. Valid reasons for delay shall be addressed at each step. The inmate must be notified in writing of such an extension. In no case may cumulative extensions exceed 25 days.

IX. SENSITIVE ISSUES

- A. If the inmate believes that the complaint is sensitive and that they would be adversely affected if the complaint became known at the institution or facility, they may file the complaint directly to the ARP Director, and the inmate must explain, in writing, the reason for not filing the complaint at the institution/facility.
- B. If the ARP Director believes that the complaint is sensitive, he shall accept and respond to the complaint. If the ARP Director does not agree that the complaint is sensitive, he shall advise the inmate in writing and return the complaint. The inmate shall then have five days from the date the rejection memo is received to submit their request through regular channels, beginning with the first step.

X. EMERGENCY GRIEVANCE

- A. A matter in which disposition within the regular time limits would subject the offender to a substantial risk of personal injury, or cause other serious and irreparable harm to the offender.
- B. If the offender feels he/she is subjected to emergency conditions, he/she must send an emergency request to the ARP Director. The ARP Director will immediately review the request and forward it to the level at which corrective action can be taken.

XI. RVR APPEALS

- A. At the time of notification of a guilty finding in a disciplinary hearing, the offender will be notified that he/she has the right to appeal any decision of, or disciplinary action taken by the Disciplinary Hearing Officer, directly to the Warden/Residential facility Warden or designee of that under/center involved via the ARP Director.
- B. The appeal will be submitted in writing within fifteen (15) days after a copy of the disciplinary Hearing Officer's decision is offered to the offender and will set forth in detail the grounds for any appeal.
- C. If the offender is not satisfied, he/she may file suit in state or federal court. The offender must provide the ARP number on the court forms.

CHAPTER IX

PRISON RAPE ELIMINATION ACT OF 2003

The Prison Rape Elimination Act of 2003 establishes a “zero tolerance” approach to prison rape and makes identification, prosecution and elimination of prison rape a top priority of state correctional agencies across the nation.

The Mississippi Department of Corrections strives to maintain a safe and secure environment for all offenders incarcerated within the agency. If an offender is being pressured by another offender and/or staff for money, property, or sexual favors, the offender should immediately contact the unit case manager, unit administrator, or any employee with whom they feel comfortable. It is imperative that one of these individuals be contacted immediately so that the offender can be removed from a potentially serious situation.

If you are a *victim* of sexual assault it is imperative that you contact the unit case manager or unit administrator immediately. **DO NOT BATHE, SHOWER, CHANGE YOUR CLOTHES OR BRUSH YOUR TEETH.** It is important that evidence be collected to assist in your attacker’s prosecution. Physical evidence is important because law enforcement relies heavily on the information.

The staff member you contact will immediately take you to a safe place. You will be referred to appropriate medical and mental health treatment.

If you are the perpetrator of a sexual assault, the following are the risks involved.

1. The possibility of infection by the HIV virus that causes AIDS.
2. The possibility of contracting other sexually transmitted diseases.
3. As an incarcerated felon, you could face a minimum of 5 to 99 years or life.
4. You risk confinement in Administrative Segregation and/or a reduction in custody due to being a threat to other offenders.

To Report Sexual Abuse

Internal Assistance

MDOC PREA Tip Line

Lift handset – Select 1 for English or 2 for Spanish – When prompted enter *9999# - Leave a message

External Assistance

MS Coalition Against Sexual Assault

POB 4172 Jackson, MS 39296 or call 1-888-987-9011

Support services relating to sexual violence are available through MSCASA. These services include hospital accompaniment for the victim during the forensic medical examination process and in-hospital investigatory interviews, and in-person emotion support services.

The provisions of the PREA are incorporated in MDOC policy.

CHAPTER X

INMATE LEGAL ASSISTANCE PROGRAM

I. GENERAL

- A. The purpose of MDOC Inmate Legal Assistance Program (ILAP) is to provide inmates with reasonable and adequate opportunity to present conditions of confinement and post-conviction claims. Information is provided to each inmate that will aid them in understanding how to access the program and gain legal assistance in accordance with inmate-related policies and procedures.
- B. Each state and private institution will have an ILAP. A schedule designating respective units shall be developed and approved for each institution/facility by the Director of ILAP. The institutional Superintendent shall ensure that inmates in Community corrections residential facilities in their respective area are afforded a reasonable schedule by the legal assistance staff.

II. GAINING ASSISTANCE

- A. The inmate must request a copy of the Legal Assistance Request Form from the officer in their housing unit.
- B. The form must be filled out completely by the inmate, unless they cannot write. However, in all situations, the person requesting assistance must sign the form. Case managers will answer questions regarding accessing the program and will assist illiterate inmates in completing request forms.
- C. Once the form is completed, it should be placed in the assigned area for pickup each Monday by 0700 hours.
- D. Inmates will be given notice of ILAP service days. Inmates will be fully dressed and have legal paperwork ready to receive services on their assigned day. Failure to be fully dressed and have paperwork ready will constitute a refusal by the inmate to receive services for that week.

III. MAILING PROCEDURE

- A. Copies of legal documents will be made for the inmate when the work is completed, signed, and ready to be mailed. ARP grievances and RVR's will not be copied until and unless they are made exhibits to a complaint. No case law will be copied as exhibits to legal work.
- B. ILAP staff will verify the authenticity of the correspondence as legal mail.
- C. An indigent inmate is defined as one who is without funds and has maintained the balance of less than a first class stamp or less for 30 consecutive days preceding the requested mailing. Indigent inmates who need to send legal mail will have to prove the mail is for pending litigation. Proof will consist of showing the documents to the reviewing staff member who will be looking for court docket numbers, plaintiff versus requests from either the court or attorney general for specific documents, etc. If requested information is not provided or the inmate refuses to show the mail to the staff reviewing such mail, the letter(s) will not be processed.
- D. Inmates without sufficient funds in their accounts to pay for postage for legal mail will have the postage supplied and the mail sent. The cost of the postage will be deducted from the inmate's account, and a negative balance will be reflected on the account.

IV. GENERAL INFORMATION

- A. Each inmate is responsible for his own legal work.
- B. All supplies are issued on a "need" basis, with Court provided forms supplied at each location and made available to inmates upon request on their assigned day.
- C. DOC does not provide legal representation to inmates through this program.
- D. Inmates may possess their legal papers in their housing unit according to institution/facility procedures.
- E. Any legal assistance done by an inmate for another inmate for any type of compensation is prohibited and subjects both inmates to disciplinary action.
- F. At all state institutions ARPs and ARP appeals are filed by submitting an ILAP request form indicating any deadline date. ILAP staff will pick up the ARP's and or ARP appeals on or prior to the inmate's deadline date and place it on the legal mail log for delivery to ARP.
- G. Should Court and ARP deadlines fall on a date prior to the inmate's scheduled service day, the inmate should complete an ILAP request form and submit it to the tower officer along with proof of the deadline. The officer will telephone ILAP so ILAP staff can provide services prior to the deadline date.
- H. Attorney calls can be made from the unit without being monitored by placing the attorney's name and number on the inmate call list and indicating that person as an attorney.
- I. Each inmate is responsible for submitting an ILAP request to add his/her attorney to the attorney of record list. No attorney will be allowed to visit until the inmate has done so.

CHAPTER XI

RULE VIOLATIONS

I. GENERAL

This chapter applies to all inmates incarcerated in MDOC. Inmates violating a specific prohibited act will be issued an RVR which will become a part of their institutional/facility record.

II. DEFINITIONS

A. **Contraband**

Contraband is any item which is not authorized. No inmate shall possess, hold, sell, transfer, receive, control, or solicit any contraband, or any item that would constitute trafficking in contraband. All contraband will be confiscated and may be forfeited by the inmate.

Contraband can also be defined as:

- Any item, ingredient, or part of an item, or instructions on creation of such item, which is capable of causing damage to persons or property;
- Any unauthorized electronic device;
- Any item that is capable or likely to produce or precipitate dangerous situations or conflict;
- Any item not issued by MDOC or their facilities, sold through the Canteen or specifically authorized or permitted by the superintendent/warden or their designee for use or possession in designated areas of the institution/facility;
- Any item which can be the basis for a charge for its possession under the laws of the State of Mississippi or the United States; and or
- Any item which, although authorized, is misused to the degree that the item would cause some danger to persons or property or be likely to precipitate dangerous situations or conflicts.

B. **Criminal Violations**

Any incident in which an inmate allegedly commits an act covered by criminal law.

C. **Disciplinary Hearing**

An impartial classification hearing composed of a Disciplinary Officer or staff member whose name appears on the Executive Order approved by the Commissioner. If requested by the inmate, a staff member or agency representative will be provided to assist the inmate at the disciplinary hearing. This representative will be appointed when it is apparent that the inmate is not capable of collecting and presenting evidence effectively on their behalf.

D. **Informal Resolution**

A resolution of a minor rule infraction heard and handled at the Unit level. A decision will be made within seven days excluding weekends and holidays. The hearing and decision will be conducted by a person not involved in the rule violation. The accused inmate will be given a completed copy of the RVR. Informal resolutions shall not be used in cases involving violence or physical aggression.

E. **Rule Violation**

An act or omission of an act contrary to the rules and regulations of MDOC and or the Laws of the State of Mississippi or the United States.

F. **Rule Violation Report (RVR)**

A reporting form that will include the violation charge, essential facts supporting the alleged violation, processing action taken (*to include requests for investigation and lists of requested witnesses*), findings and the disciplinary action taken. The form will be so configured that proper distribution can be made with the original becoming part of the inmate's permanent MDOC record.

III. RULE VIOLATIONS

The MDOC has adopted the following categories of rule violations.

A. **Violation Category A (Minor Violations)**

- A1 Littering
- A2 Illegal possession of any item or quantities not on the allowable items list (Minor-Miscellaneous Contraband)
- A3 Unauthorized removal of food or utensils from any food service area
- A4 Faking illness or injury
- A5 Failure to abide by any published institutional schedule or documented rules
- A6 Violating the institutional dress code or grooming standards

B. Violation Category B (Serious Violations)

- B1 Improper or unauthorized use of state equipment or materials
- B2 Interfering with an employee in the performance of their duty
- B3 Refusing or failing to obey an order of staff
- B4 Violation of mail, telephone, or visiting regulations
- B5 Failure to clean bed area or pass bed area inspection
- B6 Breaking or entering into another inmate's locker, room, cell, or living unit
- B7 Refusing or failing to carry out work assignment
- B8 Physical action against another person where no physical injury has occurred, including horseplay
- B9 Inflicting injury to self (self-mutilation)
- B10 Tattooing or piercing self or others or allowing self to be tattooed or pierced
- B11 Being in a restricted or unauthorized area
- B12 Violating a condition of any outside work assignment
- B13 Abusive, disrespectful, vulgar, obscene or threatening language, gestures of actions directed toward or about any person.
- B14 Lying to an employee

- B16 Disruptive behavior or disorderly conduct which threatens the orderly running of the facility
- B17 Refusing or failing to submit to a drug urinalysis test
- B18 Smuggling of minor contraband items into, out of, or within the institution
- B19 Engaging in bribery, loan sharking, collecting or incurring debt
- B20 Refusing or failing to comply with institutional count or lockup procedures
- B21 Nonviolent demonstration or inciting a nonviolent demonstration that may lead to a disruption of institutional operations
- B22 Negligent or deliberate destruction, alteration or defacing of state, personal, or community property valued less than \$100.00
- B23 Deliberately or negligently causing a fire
- B24 Inappropriate sexual behavior with another person or indecent exposure (masturbation)
- B25 Gambling
- B26 Stealing
- B27 Making threatening or intimidating statement
- B28 Refusing to submit to a search
- B29 Pursuing or developing a relationship that is unrelated to correctional activities with a non-inmate (fraternization)
- B30 Possession of serious contraband to include but not limited to:
 - State equipment or materials
 - Gang paraphernalia
 - Tobacco products (not in canteen list-includes the use of tobacco or accessories and electronic cigarettes)
 - Gambling paraphernalia
 - Stolen property less than \$100.00
 - Tattoo or body-piercing paraphernalia
 - Drug paraphernalia
- B31 Failure to abide by the "statement of conditions" of release for Earned Release Supervision, Medical Release, Intensive Supervision Program, or 72 Hour Honorary Leave Agreement
- B32 Absconding supervision from community corrections
- B33 Giving or receiving anything of value to or from another
- B34 Security Threat by obstructing view of staff

C. Violation Category C (Major Violations)

- C1 Negligently or deliberately destroying, altering or defacing of state, personal, or community property valued at \$100.00 or more
- C2 Destroying or tampering with the life safety equipment, locking, or security devices
- C3 tampering with physical evidence or hindering an investigation
- C4 Using mail or telephone to obtain any form of unauthorized items deemed as contraband
- C5 Involvement in disruptive, assaultive, or criminal gang activity
- C6 Escape
- C7 Possession of major contraband to include but not limited to:
 - Firearms
 - Sharpened instrument or knife
 - Other objects capable of inflicting death

- Tools
 - Explosives/ammunition
 - Unauthorized money or negotiable instruments
 - Unauthorized medication (prescription, non-prescription)
 - Illegal drugs
 - Electronic devices or parts
 - Escape paraphernalia
 - Staff clothing or uniform related items
 - Stolen property over \$100.00
- C8 Assaultive action against any person resulting in serious physical injury
- C9 Physical action resulting in the death or murder of any person
- C10 Hostage taking
- C11 Inciting to riot or rioting
- C12 Arrest for criminal activity while on 72 Hour Leave
- C13 Unauthorized use of drugs or intoxicants or testing positive for either
- C14 Unauthorized communication with any member of the public, staff, or between inmates (including social media)
- C15 Unauthorized exchange of negotiable instrument with staff, inmates, or the public
- C16 Active participation in any display on social media, be it live streaming or digital posting of photos, messages or other

IV. APPEALS

Any inmate punished under the authority set forth herein who considers his punishment unjust or inappropriate to the offense may appeal by using the Administrative Remedy Program within 15 days of receiving the Disciplinary Hearing Officer's decision.

The appeal must be made in writing to ARP, and must include the inmate's reasons for regarding the decision of punishment as unjust or inappropriate. The completed copy of the RVR issued to the inmate after the conclusion of the disciplinary hearing must be attached to the appeal submitted. The appelland authority will return these forms to the inmate along with the appeal response.

V. CRIMINAL VIOLATION

The Disciplinary Hearing Officer will refer a copy of any RVR considered felonious to the Corrections Investigation Division along with all relevant documents concerning the violation for consideration for prosecution. This will not interfere with the processing of the rule violation through administrative disciplinary hearing by the Disciplinary Hearing Officer.

VI. RESTRICTIONS

Disciplinary action shall not be capricious or in the nature of retaliation or revenge. Corporal punishment of any kind is strictly prohibited.

VII. FRIVOLOUS LAWSUITS

Mississippi Code of 1972, §47-5-76, provides that if an inmate proceeds in forma pauperis in a civil action against MDOC for conditions of confinement, the inmate shall pay 20% per month of the funds in his or her inmate account to MDOC until all filing fees and costs of his/her litigation are paid to the department. MDOC may withdraw such funds automatically from the inmate's account.; An inmate shall not bring a civil action or appeal a judgment in a civil action or proceeding in forma pauperis if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court that was dismissed on the grounds that it was frivolous, malicious, or failed to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

The Mississippi Code of 1972, §47-5-138, also provides that the following can occur on receipt of a final Court Order:

- A. 60 days of an inmate's accrued earned time may be forfeited if the department has received 1 final order as defined herein;
- B. 120 days of an inmate's accrued earned time may be forfeited if the department has received 2 final orders as defined herein;
- C. 180 days of an inmate's accrued earned time may be forfeited if the department has received 3 or more final orders as defined herein; and or
- D. MDOC may not restore earned time forfeited under this subsection.

CHAPTER XII

INMATE ACCOUNTS

I. GENERAL

All MDOC institutions/facilities operate on a cashless accounting system according to MDOC Policy. It is unlawful for any inmate housed at one of these facilities to have coin, currency, money orders, traveler's checks, promissory notes, credit cards, personal checks, or other negotiable instruments on their person or in the premises assigned to them or under their control.

Any money possessed by an inmate will be confiscated and deposited in a special fund in the State Treasury. These funds may then be appropriated by the Legislature to enhance the security of MDOC facilities.

II. RECEIPT OF FUNDS ON-LINE, WALK-IN AND MAIL

Inmates may receive money from outside sources to be credited to their inmate account. Money transfers to inmates are accepted on-line through Premier Services at www.premier.services and in-person by Western Union Agent Locations; all monies transferred to inmates by family or friends must be in the form of a direct deposit using Premier Services or Western Union Quick Collect. Other funds accepted are pension and retirement checks or any other funds approved by the Director of Resident Services. Neither cash nor any other type of monies will be accepted. If correspondence is included the entire letter will be returned to sender. **The inmate's name and number must be listed on the check.**

All pension or retirement checks or any other funds approved by the Director of Resident Services should be sent to the Resident Services Department at Premier Services at the address indicated below.

**Premier Services
P.O. Box 97538
Pearl, Mississippi 39288**

(Inmates housed at facilities not directly operated by MDOC should refer to the handbook issued by that facility for proper procedures on sending and receiving money.)

III. FINANCIAL TRANSACTIONS

Financial transactions are not permitted between inmates.

Inmates may send money to outside sources if the appropriate documents are completed and approved by the Corrections Investigation Division, with no more than one transaction allowed per month. Inmates must include a stamped self-addressed envelope with the request.