

 <p style="text-align: center;">Massachusetts Department of Correction POLICY</p>	Effective Date	Responsible Division Policy Development and Compliance Unit
	Annual Review Date	
	2/23/2024	
	2/23/2024	
Policy Name	M.G.L. Reference: M.G.L. Chapter 124 section 1, (c) and (q); M.G.L. Chapter 120 section 10	
103 DOC 400 INMATE MANAGEMENT	DOC Policy Reference: 103 DOC 408; 103 CMR 430; 103 CMR 481	
	ACA/PREA Standards: 2-CO-3C-01; 4-ACRS-1A-15; 4-ACRS-3A-03; 4-ACRS-5A-18-1; 4-ACRS-6A-03; 4-ACRS-6B-01; 4-ACRS-6B-02; 4-ACRS-7D-36; 5-ACI-1A-16; 5-ACI-2B-02; 5-ACI-3A-06; 5-ACI-3A-08; 5-ACI-3D-04; 5-ACI-3D-08; 5-ACI-3D-18; 5-ACI-5B-12; 5-ACI-5E-02; 5-ACI-7A-02; 5-ACI-7D-18	
Attachments Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Inmate Library Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Applicability: Staff/Inmates
Public Access Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Location: DOC Central Policy File Institution/Superintendent's Policy File Inmate Law Library	
PURPOSE: To establish departmental policy regarding basic inmate management within a correctional institution.		
RESPONSIBLE STAFF FOR IMPLEMENTATION AND MONITORING OF POLICY: Director of the Policy Development and Compliance Unit Superintendents		
CANCELLATION: This policy cancels all previous department policy statements, bulletins, directives, orders, notices, rules and regulations regarding inmate management which are inconsistent with this policy.		
SEVERABILITY CLAUSE: If any part of this policy is for any reason held to be in excess of the authority of the Commissioner, such decision will not affect any other part of this policy.		
AVAILABILITY: A copy of this policy may be made available in other formats in accordance with 103 DOC 408, <i>Reasonable Accommodations for Inmates</i> .		

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400.01

STAFF/INMATE COMMUNICATION

- A. Each Superintendent shall establish a system of communication between staff and inmates, which ensures that inmates have personal contact and interaction with staff. This system provides staff with the authority to make decisions, and the ability to make recommendations for inmates. This system shall include adherence to departmental policies and development of procedures, as required, in the following areas:
1. Classification;
 2. Grievances;
 3. Emergencies;
 4. Inmates shall be informed in a timely manner of the verifiable death or critical illness of an immediate family member and shall be informed of the process to request an emergency escorted trip. In cases where a verifiable death of an immediate family member occurs, staff shall update the IMS family/emergency contact screen to reflect the fact that the relative is now deceased;
 5. Filing a P.R.E.A. allegation;
 6. Security;
 7. Services and programs;
 8. Other areas as deemed appropriate by the superintendent.
- B. The Superintendent shall also ensure that communication between staff and inmates remain courteous and professional. During the normal performance of one's duties, it is acknowledged that staff has reason to interact with inmates on a one-to-one basis. However, the practice of staff bringing an inmate to a private area, e.g., isolated room, office, etc., for the purpose of an "attitude adjustment", also known as a "counseling session" is strictly forbidden. The Department will not tolerate this type of unprofessional behavior from any employee and will pursue disciplinary action against any staff person who engages in such conduct.
- C. Inmates shall not be subjected to discrimination or mistreatment on the basis of actual or perceived sex, age, race, religion, national origin, religious views, disability, sexual orientation, gender identify and gender expression. In addition, it is prohibited for staff and other inmates to harass and abuse inmates based on gender identity, transgender status or sexual orientation.

- D. Retaliation or harassment of any kind against inmates for exercising their rights, filing a grievance, or otherwise lodging a complaint shall not be tolerated and is strictly prohibited. Retaliation or harassment in any formal or informal action or threat of action that may include, but is not limited to, abuse, violation of civil rights, intimidation, unnecessary discipline, unjustified adverse classification action, unjustified adverse transfer or placement and unwarranted denial or limitation of access to privileges, programs or services.

400.02

PERSONAL EXPRESSION

- A. Inmates may be permitted certain choices in personal grooming, as long as their appearance does not conflict with the institution's requirements for safety, security, identification and hygiene.
- B. Each Superintendent shall develop room/cell decorum standards that include the following provisions:
 - 1. Inmates may be permitted to decorate their cells and/or sleeping quarters as long as their decorations do not conflict with the institution's requirements for safety, security, identification and hygiene. Rules regarding decorating of living/sleeping quarters are available to all inmates and staff. The rules are reviewed annually, and revised, if necessary. Decorations shall be displayed in a manner that does not prohibit or delay the effective search of the room or living quarters. The Superintendent may limit the size and number of items, as well as the location to display them.
 - 2. Providing they comply with 103 DOC 400.02 (B) (3), the items that shall be permitted include, but are not limited to:
 - a. Photographs
 - b. Cards
 - c. Magazine/newspaper pictures and articles
 - d. Drawings
 - e. Calendars
 - 3. The following items are not permitted to be displayed:
 - a. Anything that is prohibited by 103 CMR 481, *Inmate Mail*.
 - b. Semi-nude, scantily clad, and/or sexually suggestive material.
 - c. Material that can be considered offensive or otherwise discriminatory in the workplace.
 - d. Material that is deemed to be divisive between groups or individuals.

- e. Material that supports or promotes any violation of the 103 CMR 430, *Inmate Discipline*.

400.03 **PROGRAM ACCESS**

Inmates shall not be subjected to discrimination on the basis of actual or perceived sex, age, race, religion, national origin, religious views, disability, sexual orientation, gender identify and gender expression in making administrative decisions and in providing access to programs and work assignments. Reasonable accommodations shall be made in accordance with 103 DOC 408, *Reasonable Accommodations for Inmates*. Inmates have the option of refusing to participate in any rehabilitation or treatment program except adult basic education and programs required by statue or ordered by the sentencing court or paroling authority.

400.04 **NO INMATE(S) CONTROL OVER OTHER INMATE(S)**

No inmate or group of inmates shall be in a position of control or authority over any other incarcerated person(s).

400.05 **INMATE PROTECTION**

Each Superintendent shall ensure adherence to departmental policies and the development of procedures, as required. The procedures shall ensure that every effort is made to protect inmates from mental and personal abuse, corporal or cruel or unusual punishment, personal injury, disease, property damage, humiliation, harassment, sexual assault and/or harassment or punitive interference with the daily functions of living, such as eating or sleeping.

400.06 **ADJUDICATED YOUTH AND STATUS OFFENDERS**

Adjudicated delinquent offenders and youths charged with offenses that would not be crimes if committed by adults do not reside in DOC institutions in accordance with M.G.L. chapter 120, section 10.