

 <p style="text-align: center;">Massachusetts Department of Correction POLICY</p>	Effective Date <p style="text-align: center;">3/4/2024</p>	Responsible Division <p style="text-align: center;">Policy Development and Compliance Unit</p>
	Annual Review Date <p style="text-align: center;">3/4/2024</p>	
Policy Name <p style="text-align: center;">103 DOC 401 BOOKING AND ADMISSIONS</p>	M.G.L. Reference: M.G.L. C. 276 § 52A, M.G.L. c. 123, § 35	
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Attachments Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Inmate Library Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Applicability: Staff/Inmates This policy is applicable to civil commitments, 52As, and awaiting trial inmates at MCI-Framingham
Public Access Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Location: DOC Central Policy File Each Institution's Policy File Special Unit Director's Policy File
<p>PURPOSE: The purpose of this document is to establish Department of Correction booking and admissions procedures.</p> <p>RESPONSIBLE STAFF FOR IMPLEMENTATION AND MONITORING OF POLICY: Director of the Policy Development and Compliance Unit Superintendents</p> <p>CANCELLATION: 103 DOC 401 cancels all previous Department of Correction policy statements, bulletins, directives, orders, notices, rules or regulations regarding booking and admissions which are inconsistent with this policy.</p> <p>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 shall not affect any other part of this policy.</p>		

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401.01

RECEPTION

- A. The Superintendent at each correctional institution shall ensure that written procedures are developed for the reception of new commitments and admissions which shall provide for, but not be limited to, the following:
1. The identification of the staff member(s) who shall admit all new commitments or admissions during business and non-business hours.
 2. A method of identifying and of determining the legality of the commitment or admission.
 3. A system of entering the admission into the Inmate Management System (IMS).
 4. The telephonic interpreter service information shall be provided during the standard reception process. If an inmate requests an interpreter or staff believe the use of an interpreter is necessary, the telephonic interpreter service shall be utilized in accordance with 103 DOC 488, *Telephonic Interpreter Service*. Staff shall document the use of the service in the IMS booking/intake comments section of the Inmate Data screen.
 5. An unclothed search of the inmate and a thorough search of their personal effects. This initial unclothed search and all additional searches will be conducted according to the gender of the committing institution unless the inmate identifies, and is verified as gender non-conforming (pursuant to 103 DOC 653, *Identification, Treatment, and Correctional Management, of Gender Non-Conforming Inmates*). Once verified, the gender of the searching staff member shall be noted on the inmates' identification card.
 6. A complete inventory of the inmate's personal property under the requirements of 103 CMR 403, *Inmate Property*.
 7. For committing institutions, assignment of the Departmental commitment number via the IMS Unidentified Arrivals and Inmates Pending Identification screens.
 - a. Before generating a new commitment number, booking staff shall conduct a search on the IMS Inmates Pending Identification screen for prior commitments. If prior commitments are found, the most recent one shall be

selected and copied to the current record utilizing the “copy prior record” button. When records are copied in this manner, the inmate shall still be interviewed, and the screens updated as necessary in accordance with 401.01(B)(1).

Note: Use of the “copy prior record” function populates IMS screens with information from the inmates’ prior commitment. For inmates for whom a “full copy” is possible, booking staff shall review the “Suicide Query” screen, “Mental Health Watch” screen, and the “Mental Health/Substance Abuse” screen. For inmates for whom only a “partial copy” of records is possible, booking staff shall review the “Suicide Query” screen and “Mental Health/Substance Abuse” screen. If evidence of past mental health issues are found as part of this review (e.g., Q5 entries, past mental health watches, suicidal ideation), booking staff shall contact the Shift Commander.

- b. During business hours, the Shift Commander shall notify the Director of Security and contact the Director of Mental Health to determine appropriate placement and/or need for action or follow-up. During non-business hours, the Shift Commander shall contact the Institution Duty Officer and the on-call Mental Health Clinician.
8. When an inmate is released from one sentence to serve another (e.g., from and after sentences), the assignment of the new commitment number shall be completed by the institution at which the inmate is housed.
 9. For receiving institutions, a process to ensure the Booking Officer/staff interviews the inmate and updates the IMS screens upon admission in accordance with 401.01(B)(1).
 10. Issuance of clean bedding and clean clothes as necessary.
 11. Articles necessary for maintaining proper personal hygiene are available to all offenders and provided to those who are indigent. Each offender shall be provided soap, toilet paper, a toothbrush and toothpaste, and denture cleaner and adhesives, if needed. Shaving equipment should be made available upon request, and the special hygiene needs of all offenders shall be met. Minimum security shall also provide a comb and shampoo if requested.
 12. Availability of showers and hair care.

13. Medical, dental, and psychological screening shall be conducted in accordance with 103 DOC 630, *Medical Services*. No inmate shall be quarantined for medical reasons in excess of twenty-four (24) hours without proper medical authorization. Results shall be entered into the Mental Health/Substance Abuse History, Medical Orders, and Medical Restrictions screens by medical staff utilizing the IMS medical modules. If as a result of the immediate medical/mental health screening process, booking and/or medical staff have reason to believe that the inmate has potential mental health issues, the notification process outlines in 401.01(A)(7)(a) shall be followed.
 14. A process for the notification to the inmate's family or next of kin of the inmate's current placement.
 15. At both reception and receiving institutions, a Q5 query by a certified LEAPS user shall be conducted immediately upon arrival and prior to the inmate's placement into general population. Results shall be entered in the IMS Suicide Query Screen. Positive Q5 results shall be communicated to the Shift Commander and the Director of Mental Health during business hours or the Shift Commander and the on-call Mental Health Clinician during non-business hours for appropriate placement and/or need for action or follow-up.
 16. At both reception and receiving institutions, within twenty-four (24) hours of arrival, the requirements of 103 DOC 408, *Reasonable Accommodations for Inmates*, section 408.06 (1) and (2) shall be adhered to.
 17. A determination of the appropriateness of a release into general population.
 18. Housing or unit assignment via the Internal Risk Housing Placement form within seventy-two (72) hours.
 19. At reception institutions or institutions receiving an Inter-Departmental Transfer (e.g., a transfer from a county, federal, and a state facility other than Massachusetts), a determination as to whether the inmate is required to provide a DNA sample. All guidelines established in 103 DOC 487, *DNA Sample Collection* shall be followed.
- B. The following procedures shall be adhered to concerning the booking and admissions process for all institutions.

1. Staff shall interview all inmates, detainees, and civil commitments and complete the following IMS screens upon admission:
 - a. Unidentified Arrivals and Inmates Pending Identification (for new commits)
 - b. Arrival Processing (if admitted on same commit number),
 - c. Inmate Data,
 - d. Family/Emergency Contacts (Note: If the individual is or was previously incarcerated, staff shall utilize the Inmate Search screen to obtain the commitment number and enter it in this screen. If the inmate refuses to provide an emergency contact, staff shall enter “refused to provide” in the Name field on the Friends tab and enter a flag in the Emergency Contact checkbox),
 - e. Enemies (Note: If enemies are claimed, staff shall utilize the Inmate Search screen to obtain the current or most recent prior commitment number if it exists and enter it on this screen. If none are claimed, the “claims none” checkbox shall be entered),
 - f. Escape History (Note: The “claims none” checkbox shall be entered if there is no history),
 - g. Alias Information (Note: the “claims none” checkbox shall be entered if no alias names, dates of birth, or social security numbers are indicated),
 - h. STG/Staff Assaults (Note: If no STG affiliations are reported, the “claims none” checkbox shall be entered),
 - i. Military History (Note: If there is no history, the “claims none” checkbox shall be entered),
 - j. Suicide Query,
 - k. Medical restrictions verification (for committing sites, when assigning a commitment number, the medical comments screen should include deaf, blind, hearing and/or visually impaired identification),
 - l. Photos (Facial & Marks, Scars, Tattoos),
 - m. Outstanding Legal Issues (for detainees)
 - n. Link Prior Commitments (if applicable)
 - o. Inmate Health Insurance (If the inmate states that they do not have health insurance, ensure all fields are completed on this screen),
 - p. Orientation Checklist (if applicable)
2. Once the above noted screens have been completed, an “offender face sheet” report shall be generated from IMS and placed in the inmate’s six-part folder.

If an inmate has been identified as deaf, blind, hearing and/or visually impaired in the Medical Restrictions Screen in IMS, a red dot shall be placed on the lower right corner of their bed book card for use by the housing unit officer. This will alert staff that the inmate has a hearing or sight impairment and may need additional assistance during an evacuation. In addition, pursuant to 103 DOC 730, *Fire Prevention and Safety*, each Superintendent shall develop a written fire and emergency evacuation plan that contains a process to assist inmates in evacuating who may have medical restrictions, including, but not limited to, deaf and hearing impaired, blind, and visually impaired, and those with physical disabilities.

- C. All institutions shall develop written procedures that include the identification of a review mechanism for oversight of the utilization of IMS during the booking process and assurance of data quality. The procedures shall include:
 - 1. The identification of a supervising staff person responsible for the daily oversight of the booking process. They shall:
 - a. Run a morning report or a new inmate list report to identify newly admitted inmates, detainees, and civil commitments;
 - b. View the Navigation screen for each new inmate (e.g. new commitment, transfer, return) to determine if all required screens identified in 401.01 (2) (A) were accessed;
 - c. Check each screen to determine if all required fields are completed and if there are any obvious errors in accuracy;
 - d. If any screens or required fields were not completed, ensure that they are properly completed;
 - e. If there are any obvious errors in accuracy, ensure that they are corrected; and,
 - f. Ensure that all data entry is completed on the inmate's day of arrival. When it has not been done due to the inmate's inability to complete the process (e.g., placement in the health services Behavioral Assessment Unit [BAU], Secure Adjustment Unit [SAU] or other specialty unit), the Supervisor shall ensure that the inmate is interviewed and completion of screens occurs as soon as possible.

401.02

DNA COLLECTION

The identification, collection, and processing of inmate DNA samples shall be done in accordance with 103 DOC 487, *DNA Sample Collection*.

401.03

ORIENTATION

- A. Each Superintendent shall develop written procedures to ensure that each inmate receives an orientation upon admission within the following time periods:

Within twenty-four (24) hours after arrival:

Inmates shall receive a copy of the institution's Orientation Manual. The inmate shall sign for the manual when received.

During the booking process at committing institutions inmates shall receive and sign for a copy of 103 CMR 430, *Inmate Discipline* which the inmate may keep if they choose;

Written information regarding procedures governing visitation shall be made available. This requirement may be satisfied by providing a copy of the institution's visiting rules developed pursuant to 103 CMR 483, *Visiting Procedures* which is available in English and Spanish. Inmates transferred from other institutions within the correctional system shall receive an orientation to the new institution. Except in unusual circumstances, this orientation is completed within seven (7) calendar days after admission. New inmates entering the correctional system for the first time receive an initial reception and orientation to the institution. Except in unusual circumstances, this orientation is completed within thirty (30) calendar days after admission.

The following topics shall be included:

1. Mail procedures, including an explanation of the prohibition of inmate to inmate correspondence as well as notice that disciplinary action may be taken for violations of that rule. Inmates transferred from another institution shall be asked if approval for inmate to inmate correspondence was previously given.
2. Canteen services;
3. Inmate counts and mass movement;
4. Recreation;
5. Personal property;
6. Housing regulations;
7. Medical attention/sick calls, medical copayment fees, and access to medical grievances (NOTE: Medical care is not denied based on an inmate's ability to pay);
8. Communicable diseases: Inmates shall receive information and training as a part of their orientation program;
9. Institution rules and regulations, to include a written schedule of staff access hours to encourage staff/inmate interaction;

10. Information concerning Department and institution grievance procedures;
11. Prohibition of smoking or possession of tobacco and tobacco related products;
12. Prohibition of the possession and/or use of cell phones, other unauthorized electronic devices, and cell phone and other unauthorized electronic device paraphernalia; (including cell phone chargers, chargers, SIM cards and any other related products)
13. Emergency evacuation plans;
14. Procedures for securing identity documents;
15. Shower access in accordance with 103 DOC 750, *Hygiene Standards*.
16. The following shall be included in all correctional institution's orientation manuals:
 - a. 103 DOC 401, Attachment #1, *Prison Rape Elimination Act (PREA) Sexual Misconduct/Staff Sexual Misconduct*. Please note that if translation services are being utilized in accordance with 103 DOC 488, *Interpreter Services*, the cross-gender announcement of "male" or "female", "on the unit" shall be conveyed in both English and the inmate's primary language.
 - b. A section concerning Cell Phones, other unauthorized electronic devices, and other unauthorized electronic device paraphernalia, shall include the following statements:

Inmate use and/or possession of any type of cell phone, other unauthorized electronic device, or other unauthorized electronic device paraphernalia (including cell phone chargers, chargers, SIM cards, and any other related products), is strictly prohibited and considered a serious security issue. Inmates found in possession of said items shall be subject to formal disciplinary action. Use and/or possession of cell phones or cell phone paraphernalia shall be considered a Category 2 disciplinary infraction.

- c. The section including identity documents shall include the following statements:

Proper documentation of one's identity at the point of discharge from the Massachusetts Department of Correction (DOC) and or classification to a Pre-release institution is necessary for successful reentry to your community. Documentation such as a state issued ID, social security card, birth and marriage certificates,

military release documentation (DD214) and education credentials are necessary to access or activate services and benefits upon release. These documents are often necessary to secure housing, open a bank account, secure employment, and access health benefits. You have likely entered the Massachusetts Department of Correction without this documentation. Securing these documents prior to release or classification to a Pre-release institution should be a priority, as once you are released or classified to a Pre-release institution it may be difficult and time consuming. Please begin planning for this now by securing items so you can access them at pre-release or upon your release. These documents can be secured in your property to be made available to you at Pre-release or at discharge.

- d. Telephonic interpreter service information.
 - e. 103 DOC 408, *Reasonable Accommodations for Inmates*, Attachment D, Massachusetts Department of Correction Inmate Orientation to ADA and Attachment E, Telecommunication Aids and Services for Effective Communication, shall be attached to the institutions orientation manual.
 - f. Inmates shall not be subjected to discrimination or mistreatment based on 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.
17. The following shall be included in all medium and maximum-security correctional institutions' orientation manuals:
- a. An inmate shall be considered attempting to escape at the point when they enter the "no mans zone" without proper notification and authorization by the Superintendent or designee. The "no man's zone" shall be the area between two (2) security barriers which separates the inner perimeter from the outer perimeter at medium and maximum-security correctional institutions. The two (2) security barriers may be a combination of fences, walls and/or other permanent structures intended as security barriers. Upon entering the "no man's zone" the inmate shall be considered attempting to escape and will be subject to use of force in accordance with 103 CMR 505, *Use of*

Force, up to and including the use of lethal force, if appropriate based on the totality of the circumstances..

18. The following shall be included in all minimum and pre-release correctional institutions' orientation manual:
 - a. Inmates shall be informed of Departmental policy and procedures that cover collection of required fees in accordance with 103 CMR 405, *Inmate Funds*.
 - b. In accordance with 103 DOC 521, *Outside Hospital Security Procedures*, any time an inmate is admitted to an outside hospital while on any form of authorized release from an institution, (e.g., work release, education release, Program Related Activity, etc.), who has not been transported to said hospital by a Department employee, shall be responsible for ensuring that the parent institution is notified. Failure to notify may result in disciplinary action.
 - c. Pre-release inmates hospitalized without security coverage shall be required to notify the parent institution Superintendent/ designee, when scheduled to be away from their room for testing or treatment.

19. The following shall apply to reception centers conducting an initial inmate intake and orientation:
 - a. A parent identification process.
 - b. Information regarding access to basic needs programming (e.g., substance abuse, violence reduction, life skills).
 - c. An introduction to the Department's child support enforcement monitoring program.
 - d. Access to the Department's parenting services, if applicable.
 - e. A review of other community resources to address an inmate's individual parenting needs.

The above noted orientation subjects shall be recorded in the IMS Orientation Checklist screen (Note: "responsible parenthood" shall be selected in the orientation type field as applicable).

20. The following shall apply to reception centers conducting an initial inmate intake and orientation regarding the Security Threat Group (STG) Orientation: Security Threat Group Program Orientation:
 - a. The goal of the STG orientation program is to reduce affiliation and recruitment activities of newly committed

incarcerated inmates by informing and educating inmates about the risks associated with STG involvement during their incarceration.

- b. The STG orientation program may include, but is not limited to, an introduction to STG group management, identification of STG members, the notification process, consequences of engaging in STG activities, placement of those involved in STG activities, and the disassociation process.
- B. Each Superintendent/designee shall ensure that new inmates (to include inmates admitted directly to a Behavioral Assessment Unit [BAU], Secure Adjustment Unit [SAU] or other specialty unit)) receive written orientation materials in English or Spanish. When necessary, other non-English speaking inmates shall receive translation into their own language via the telephonic interpreter service. When a literacy problem exists, a staff member may assist the inmate in understanding the problem. In addition, institutions shall conspicuously post, in at least one (1) location, both the institution rules and 103 CMR 430, *Inmate Discipline*.
 - C. Completion of all types of orientation and receipt of all materials shall be documented in the IMS Orientation Checklist screen. Reception Centers, if using an approved alternative orientation checklist that is signed and dated by the inmate, shall be exempt from signing and dating an IMS printout. It shall also be documented by the inmate signing and dating a printout of the completed IMS Orientation Checklist screen. If the inmate refuses or is incapable of reading and signing for the information included in the orientation manual, the staff member providing the inmate with the copy shall indicate such refusal/incapability in the IMS Orientation Checklist Screen, as well as the assistance offered/given to an inmate who is incapable of reading and signing. The checklist shall be filed in the inmate's case record.
 - D. In addition to the required orientation topics, all institutions shall be required to provide training for the inmates during the orientation sessions that covers, but is not limited to, the following:
 1. How to avoid becoming a victim while incarcerated.
 2. Treatment available for victims of sexual abuse.
 3. How to report sexual misconduct incidents.

401.04

INMATE TELEPHONES

Each Superintendent shall ensure that written procedures are developed to ensure that all new commitments and admissions are allowed access to telephone communication within twenty-four (24) hours of arrival unless existing conditions at the time warrant a delay. All exceptions to this rule shall be documented in the IMS booking/intake comments section of the Inmate Data Screen.

401.05

HOUSING CELL ASSIGNMENTS

In compliance with the National Prison Rape Elimination Act (PREA) standards, all incoming inmates shall be assessed for their risk of being sexually abused by others and for sexually abusive behavior. The admissions officer and medical/mental health staff shall conduct this initial assessment within seventy-two (72) hours utilizing the electronic PREA screening instrument, found within IMS. Additionally, the Correctional Program Officer and medical/mental health staff shall conduct a subsequent assessment within thirty (30) days after arrival. Moreover, an assessment shall be completed every six (6) months for Gender Non-conforming inmates. Lastly, an assessment may be completed any time deemed necessary by the respective Superintendent.

Note: Inmates may not be disciplined for refusing to answer, or for not disclosing complete information, in response to the questions asked during the PREA assessments.

- A. Single occupancy cells/rooms may be made available, when indicated, to the following:
1. Inmates with severe medical disabilities;
 2. Inmates suffering from serious and persistent mental illness;
 3. Inmates with a documented history of predatory behavior;
 4. Inmates with a documented history of being sexually victimized;
 5. Inmates likely to be exploited by others;
 6. Inmates who are developmentally disabled;
 7. Inmates who have other special needs for single housing.

Note: "When indicated" refers to determinations made by the classification system, medical/mental health diagnosis, or other professional conclusions.

- B. Double occupancy cells/rooms or dormitory beds may be assigned where single cells are not available or appropriate. When authorizing housing and cellmate assignments, staff members shall consider the following guidelines which are put forth in this policy to ensure staff and inmate safety.
1. An inmate's legal status may restrict and therefore limit their housing assignment options within a Department institution. These include but are not limited to: Awaiting trial inmates excluding inmates incarcerated pursuant to M.G.L. c. 276 § 52A, civil cases pursuant to M.G.L. c. 123, § 35, Bridgewater State Hospital commitments and sexually dangerous persons. The Department shall abide by all applicable laws in this regard.
 2. All new arrivals to an institution shall be housed in an orientation unit or in housing areas that provide for intensive sight and sound supervision before and during their initial orientation to that institution. The Superintendent or the Deputy Superintendent may consider an alternative placement for security, programmatic or medical reasons.
 3. Staff shall avoid placing known or potential victims with known or potential predators. Further, staff shall consider matching other factors such as length of sentence, age, medical, and mental health issues, size and weight, as matching these characteristics may result in a positive housing situation.
 4. Staff shall make different housing unit assignments for inmates who are known or potential victims from those who are known or potential predators. The Superintendent may make exceptions to this strategy for security, medical/mental health, or programmatic reasons. The Superintendent shall document these exceptions.
 5. Inmates who are known or potential victims should, whenever possible, be housed with similar inmates on the first tier or in dormitory beds closest to the Officer's/CPO's Station.
 6. Inmates who are known or potential predators should, whenever possible, be housed with similar inmates in units which allow for close observation.
 7. Staff shall document each inmate's reported perception of their safety and housing requests normally during the intake process. Inmates who report conflicts with other inmates or staff members shall be processed in accordance with 103 DOC 426, *Conflicts*.

Housing assignments should consider the outcome of any documented conflict.

8. Inmates who report language barriers shall be assessed and, when possible, matched with cellmates who understand their native language or a similar dialect.

**PRISON RAPE ELIMINATION ACT (PREA)
SEXUAL MISCONDUCT/STAFF SEXUAL MISCONDUCT**

- A) The Prison Rape Elimination Act, otherwise known as PREA, is a Federal statute which was passed unanimously by the United States Congress and signed into law in 2003 by President George W. Bush. The Act supports the elimination, reduction, and prevention of sexual assault and rape in correctional systems across the country. This includes federal, state, county facilities and all other law enforcement detention facilities.

The Massachusetts Department of Correction is committed to enforcement of the PREA law. We have a zero tolerance policy for any incidence of sexually abusive behavior by a staff member, vendor, volunteer or inmate in any facility and we afford a number of internal and external methods for victims and third parties to report abuse or suspicions of abuse. All reports/allegations of sexual abuse or sexual threats are taken seriously and investigated in a thorough and objective manner. The Department will aggressively pursue the discipline and prosecution of any perpetrator of sexual abuse. Victims and reporters of sexual assault will be afforded ongoing medical, mental health, and victim services and will be protected from retaliation.

All new admissions to the Department of Correction will be scheduled for mandatory orientation to review this information and be educated on important issues. Additionally, refresher information shall be made available as will updated information following any intra-system transfer.

- B) The institution PREA Manager is the Deputy Superintendent of Reentry.
- C) The Department of Correction and **ADD INSTITUTION NAME** strive to create and maintain a safe institutional environment for both inmates and staff through the prevention, detection, and appropriate response to Sexually Abusive Behavior. Inmates are forewarned that our workforce is highly integrated in terms of the gender of our staff. As such, staff members of the opposite sex may be present and conducting rounds in housing units at any and all times. To ensure the highest level of privacy, inmates are encouraged to be appropriately dressed at all times. Should an inmate need to change clothing, the inmate bathroom or other private area should be used to do so. An announcement of “male” or “female”, “on the unit” shall be made to signify that an opposite gender staff person is present in your housing unit. These announcements will be made only whenever there is a status change to alert you.
- D) Inmates are responsible for familiarizing themselves with Department of Correction’s orientation material on sexual abuse prevention and intervention and 103 DOC 519, *SEXUAL HARRASMENT/ABUSE RESPONSE AND PREVENTION POLICY (SHARPP)*.
- E) The Department has established multiple internal ways for inmates to privately report sexual abuse and sexual harassment or retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that

may have contributed to such incidents. A Department hotline has been designated within the inmate telephone system. The number is 508-422-3486 and shall allow for universal and unimpeded access by all inmates within the Department. It is not recorded and is available to all inmates without using their PIN numbers. Additionally, this facility has a site specific IPS hotline INSERT # HERE, which may be utilized. Other methods to report include the inmate grievance system, staff access periods, the facility PREA manager, and inner perimeter security staff members.

The Boston Area Rape Crisis Center (BARCC) provides inmates with access to outside victim advocates for emotional support services related to sexual abuse. This abuse does not need to have occurred during incarceration in order for you to seek support from BARCC. An inmate can contact BARCC either in writing or via use of a dedicated hotline. All calls are free of charge from any inmate telephone. Hours of operation are seven days a week from 9:00 a.m. to 9:00 p.m. These confidential support services can be provided in English and in Spanish.

BARCC PREA HOTLINE
99 Bishop Allen Drive
Cambridge, MA 02139
(844) 774-7732

BARCC is NOT a third-party entity to which you should report allegations of abuse. BARCC's purpose is to provide confidential support to victims. Such confidential communications shall not be subject to discovery and shall be inadmissible in any criminal or civil proceeding without the prior written consent of the victim/survivor to whom the report, record, working paper or memorandum relates.

All communication with BARCC on the hotline number is confidential and not recorded by BARCC (or the Department of Corrections) unless BARCC determines that the alleged victim is a danger to themselves or a third party.

Inmates may also report sexual abuse or harassment to external public or private agencies via correspondence or use of the inmate telephone system. Calls to "privileged" numbers including universally approved legal assistance phone numbers (i.e., Prison Legal Services), pre-authorized personal attorney telephone numbers, a foreign national's pre-authorized telephone number to their consular officer or diplomat, pre-authorized clergy telephone numbers and pre-authorized licensed psychologist, social worker and/or mental health professional telephone numbers are not subject to telephone monitoring and are not recorded.

Inmates may write to the below address to file a report of sexual abuse or harassment and may also include in the body of the letter whether they wish to remain anonymous if they choose. Outgoing inmate correspondence to the below address will follow standard mail procedures pursuant to 103 CMR 481, *Inmate Mail*.

Massachusetts State Police
Division of Investigative Services
470 Worcester Road
Framingham, MA 01702
ATTN: PREA COORDINATOR

Inmates shall be permitted to send confidential information or correspondence to the DOJ PREA auditor, in the same manner as if they were communicating with legal counsel.

Prison Legal Services is identified as an external advocacy group that acts upon the interests of inmates housed in the Massachusetts Department of Correction. Prison Legal Services can be reached at 617-482-2773 and is considered a privileged number. The State Prisoner Speed Dial Number is *9004#

The Department shall accept and investigate verbal, written and anonymous third-party reports of sexual abuse and harassment. Third party entities may report abuse to the Department Duty Station at 508-422-3481 or 508-422-3483. These reports will be immediately forwarded to the proper Superintendent or Division head.

Should you report of an allegation that you were sexually abused while confined at another facility or agency, the Superintendent of this facility shall notify the appropriate Superintendent or Chief Administrative Officer of the agency where the alleged abuse occurred no later than seventy-two (72) hours after receiving the allegation. The incident site is responsible for the investigation of that matter.

- F) All acts of sexually abusive behavior between an inmate and a Department employee, contractor, or volunteer or an inmate and an inmate, regardless of consensual status, are prohibited; and the perpetrator shall be subject to administrative, criminal, and/or disciplinary sanctions. The Department of Correction is committed to investigating, disciplining and referring for prosecution, Department employees, contractors, volunteers, and inmates who engage in sexually abusive behavior. The Department is equally committed to providing crisis intervention and ongoing treatment or referrals to the victims of these acts.
- G) If the investigation reveals that an inmate has knowingly made false allegations or made a material statement which they, in good faith could not have believed to be true, the Department may take appropriate disciplinary action.
- H) All Department employees, contractors, and volunteers are responsible for contributing to the prevention of sexually abusive behavior perpetrated by staff on inmates or by inmates on inmates as outlined in 103 DOC 519, *Sexual Harassment/Abuse Response and Prevention Policy (SHARPP)*.

- I) All allegations and incidents of inmate-on-inmate or staff-on-inmate sexually abusive behavior shall immediately be reported by Department employees, contractors and volunteers in accordance with 103 DOC 519, *Sexual Harassment/Abuse Response and Prevention Policy (SHARPP)*. The Shift Commander shall ensure that the Superintendent is immediately notified. Failure of any Department employee, contractor or volunteer to report these allegations may result in disciplinary action, up to and including termination.

Ways to avoid becoming the victim of sexual abuse:

1. Be aware of situations that make you feel uncomfortable. Trust your instincts.
2. If something feels wrong about the environment or situation you find yourself in, leave the area.
3. Don't let your manners get in the way of keeping you safe. Don't be afraid to say "NO!" "Stop it now," or "Get lost!"
4. Walk and stand with confidence. Many rapists choose victims who look like they won't fight back or are emotionally weak. Keep your head up and don't avoid eye contact.
5. Avoid talking about sex and casual nudity. These things may be viewed as a come-on or make another inmate believe you have an interest in a sexual relationship.
6. Do not accept any food, clothing, or other gifts from other inmates. Being in debt to another inmate may lead to the expectation that you will repay the debt with sex.
7. Avoid secluded areas like closets, storage areas, stairwells, isolated showers or unoccupied bathrooms. Position yourself in plain view of staff members.
8. If you are being pressured for sex, talk to a staff member immediately.
9. If you become aware that another inmate is being sexually abused, report it to a staff member. Next time it could be you.
10. Beware of inmates who offer to protect you. Protection frequently has a cost.
11. Do not give out information about your family, friends, or financial support.
12. Do not buy large quantities of canteen items.

**ACTO DE ELIMINACION DE VIOLACION EN PRISION
(PRISON RAPE ELIMINATION ACT, PREA)
MALA CONDUCTA SEXUAL/MALA CONDUCTA SEXUAL DEL PERSONAL**

- A) El Acto de Eliminación de Violación en Prisión conocido de otra manera como PREA es un estatuto Federal que fue pasado unánimemente por el Congreso de los Estados Unidos y firmado como ley en el 2003 por el Presidente George W. Bush. El acto apoya la eliminación, reducción, y prevención de asalto sexual y violación en sistemas correccionales a través del país. Esto incluye facilidades federales, estatales, de condados y todas otras facilidades de detención de cumplimiento de la ley.

El Departamento de Corrección de Massachusetts está comprometido a hacer cumplir la ley PREA. Nosotros tenemos una política de cero tolerancia para cualquier incidente de conducta sexualmente abusiva por un miembro del personal, vendedor, voluntario o preso(a) en cualquiera facilidad y nos podemos permitir un número de métodos internos y externos para víctimas y terceras partes para reportar abuso o sospechas de abuso. Todos los reportes/alegatos de abuso sexual o amenazas sexuales son tomados seriamente e investigados de una manera detallada y objetiva. El Departamento perseguirá agresivamente la disciplina y enjuiciamiento de cualquier perpetrador de abuso sexual. Víctimas y denunciante de abuso sexual recibirán continuos servicios médicos continuos, de salud mental, servicios para víctimas y serán protegidos de venganza.

Todas las nuevas admisiones al Departamento de Corrección serán programadas para orientación mandataria para revisar esta información y ser educados en asuntos importantes. Además, información actualizada deberá hacerse disponible tal como información puesta al día lo hará siguiendo cualquier traslado dentro del sistema.

- B) El Gerente de PREA de la institución es el Diputado de Reentrada del Superintendente.
- C) El Departamento de Corrección y ADD INSTITUTION NAME se esfuerzan para crear y mantener un medio ambiente institucional seguro para ambos, los presos(as) y personal a través de la prevención, detección, y respuesta apropiada a Conducta Sexualmente Abusiva. Sean advertidos los presos que nuestra fuerza de trabajo está altamente integrada en términos del género de nuestro personal. Como tal, miembros del personal del sexo opuesto pueden estar presentes y podrán conducir rondas en las unidades de alojamiento en cualquier y todo tiempo. Para asegurar el nivel más alto de privacidad, los presos serán alentados a vestirse de manera apropiada en todo momento. Si un preso necesita cambiar su vestuario, el baño del preso o otra área privada n deberían ser utilizados para ese propósito. Un anuncio se hará de "masculino" o "femenino", "en la unidad" para significar que un miembro del personal del sexo opuesto está presente en su unidad de alojamiento. Estos anuncios serán hechos para alertarlo a usted solamente cuando quiera que haya un cambio en el estatus.

- D) Los presos(as) son responsables por familiarizarse ellos/ellas mismos con material de orientación del Departamento de Corrección en prevención e intervención de abuso sexual y 103 DOC 519, *POLÍTICA DE RESPUESTA Y PREVENCIÓN DE ACOSO / ABUSO SEXUAL*.
- E) El Departamento ha establecido múltiples formas internas para que los presos(as) reporten privadamente abuso sexual y acoso sexual o venganza por otros presos(as) o personal por reportar abuso sexual y acoso sexual, y negligencia del personal o violación de responsabilidades que pueden haber contribuido a tales incidentes. Una línea de emergencia (“hotline”) en el Departamento ha sido designada dentro del sistema de teléfono de presos. El número es 508-422-3486 y deberá permitir por acceso universal e irrestricto para todos los presos(as) dentro del Departamento. (Este número) no es grabado y está disponible a todos los presos/as sin usar sus números PIN. Además, esta facilidad tiene una línea de emergencia específica de IPS INSERT # HERE, la cual puede ser utilizada. Otros métodos para reportar incluyen el sistema de queja de preso(a), periodos de acceso al personal. El administrados PREA de la facilidad, y los miembros del personal de seguridad del perímetro interno.

El Centro de Crisis de Violaciones de Boston (BARCC) les provee a los presos con acceso a intercesoras de víctimas para servicios de apoyo emocional relacionado al abuso sexual. Este abuso no tuvo que ocurrir durante encarcelación para que puedas buscar ayuda de BARCC. Un preso puede contactar a BARCC o por escrito o a través del uso de la una línea de emergencia (“hotline”). Todas las llamadas son gratuitas desde el teléfono de los presos. Horas de operación son los siete días de la semana de 9:00 a.m. a 9:00 p.m. Estos servicios de apoyo con confidentiales y pueden ser proveídos en Inglés o Español.

Línea de Emergencia de BARCC
99 Bishop Allen Drive
Cambridge, MA 02139
(844) 774-7732

BARCC no es una tercera identidad a la que debes de reportar alegaciones de abuso. El propósito de BARCC es proveer apoyo confidencial a víctimas. Dichas comunicaciones confidenciales no estarán sujetas a descubrimiento y serán inadmisibles en cualquier procedimiento penal o civil sin el consentimiento previo por escrito de la víctima/sobreviviente a quien se relaciona el informe, registro, documento de trabajo o memorando.

Todas las comunicaciones con BARCC en el número de la línea directa son confidenciales y no son registradas por BARCC (o el Departamento Correccional) a menos que BARCC determine que la presunta víctima es un peligro para sí misma o para un tercero

Los presos(as) pueden también reportar abuso sexual o acoso a agencia externas públicas o privadas a través de correspondencia o el uso del sistema de teléfono de preso. Llamadas a números “privilegiados” incluyendo números de teléfonos de asistencia legal

universalmente aprobados (ej. Servicios Legales de Prisión), pre autorizados números de teléfonos de un abogado personal, un número de teléfono pre-autorizado de un nacional extranjero a su oficial consular o diplomático, pre autorizados números de teléfono de clérigos y pre autorizados números de teléfonos de psicólogos licenciados, trabajador social y/o profesional de salud mental no están sujetos a monitoreo de teléfono y no son grabados.

Los reclusos pueden escribir a la siguiente dirección para presentar un informe de abuso o acoso sexual y también pueden incluir en el cuerpo de la carta si desean permanecer en el anonimato si así lo desean. La correspondencia saliente del recluso a la siguiente dirección seguirá los procedimientos de correo estándar de conformidad con 103 CMR 481, Correo del Recluso.

Policía del Estado de Massachusetts
División de Servicios de Investigación
470 Worcester Rd
Framingham, MA 01702
ATENCIÓN: COORDINADORA DE PREA

A los reclusos se les permitirá enviar información confidencial o correspondencia al auditor DOJ PREA de la misma manera que si estuvieran comunicándose con un asesor legal.

Servicios Legales de Prisión es identificado como un grupo de apoyo externa que actúan con el interés de los presos alojados en el Departamento de Corrección de Massachusetts. Servicios Legales de Prisión pueden ser localizados con llamar al 617-482-2773 y este teléfono es considerado un número privilegiado. El Numero de Marcación Rápida para Presos Estatales es *9004#.

El Departamento deberá aceptar e investigar reportes verbales, escritos y anónimos de terceras partes de abuso y acoso sexual. Entidades de terceras partes pueden reportar abuso a la Estación de Turno del Departamento (Department Duty Station) al teléfono **508-422-3481 o 508-422-3483**. Estos reportes serán inmediatamente dirigidos al Superintendente apropiado o Jefe de la División.

Si usted reporta una denuncia que usted fue sexualmente abusado(a) mientras estaba confinado en otra facilidad o agencia, el Superintendente de esta facilidad deberá notificar al superintendente apropiado u oficial administrativo jefe de la agencia donde el abuso denunciado ocurrió a no más tardar de setenta y dos 72 horas después de haber recibido la denuncia. El sitio del incidente es responsable por la investigación de tal materia.

- F) Todos los actos de Conducta Sexualmente Abusiva entre un preso(a) y un empleado del Departamento, contratista, o voluntario o un preso(a) y un preso(a), sin importar el estatus de consentimiento, están prohibidos; y el perpetrador deberá ser sujeto de

sanciones administrativas, criminales y/o disciplinarias. El Departamento de Corrección se ha comprometido a investigar, disciplinar y referir a proceso judicial, a empleados del Departamento, contratistas, voluntarios y presos(as) que se envuelvan en Conducta Sexualmente Abusiva. El Departamento está igualmente comprometido a proveer intervención de crisis y tratamiento continuo o referir a las víctimas de estos actos.

- G) El Departamento puede tomar acción disciplinaria apropiada si la investigación revela que un preso(a) ha hecho a sabiendas denuncias falsas o hecho una declaración material que él/ella, de buena fe no pudo haber creído ser verdad.
- H) Todos los empleados del Departamento, contratistas, y voluntarios son responsables por contribuir a la prevención de Conducta Sexualmente Abusiva perpetrado por personal sobre presos(as) o por presos(as) sobre presos(as) como delineado en 103 DOC 519, *Política de Respuesta y Prevención de Acoso / Abuso Sexual*.
- I) Todas las denuncias e incidentes de Conducta Sexualmente Abusiva de preso(a) sobre preso(a) o de personal sobre preso(a) deberán ser inmediatamente reportados por empleados del Departamento, contratistas y voluntarios de acuerdo con 103 DOC 519, *Política de Respuesta y Prevención de Acoso / Abuso Sexual*. El Comandante del Turno deberá asegurar que el Superintendente es inmediatamente notificado. La falla de cualquier empleado del Departamento, contratista o voluntario de reportar estas denuncias puede resultar en acción disciplinaria hasta e incluyendo terminación.

Maneras de evitar de llegar a ser una víctima de abuso sexual:

1. Sea consciente de situaciones que lo/la hacen sentirse incómodo. Confíe en sus instintos.
2. Si algo se siente equivocado acerca del medio ambiente o situación en la que usted se encuentra, abandone el área.
3. No deje que sus (buenos) modales le impidan mantenerse seguro(a). No tenga miedo de decir “NO”, “Para ahora mismo”, o “Vete de aquí”.
4. Camine y párese con confianza. Muchos violadores escogen víctimas que dan la apariencia que no se defenderán o que son emocionalmente débiles. Mantenga su cabeza en alto y no evite el contacto de ojos.
5. Evite; hablar acerca de sexo o desnudez ocasional. Estas cosas pueden ser vistas como una invitación o hacer creer a otro preso(a) que usted tiene interés en una relación sexual.
6. No acepte ningún alimento, vestuario, u otro regalo de otros presos(as). Estar en deuda con otro preso(a) puede conducir a la expectativa que usted pagará la deuda con sexo.

7. Evite áreas aisladas como closets, áreas de almacenaje, escaleras, duchas aisladas o baños no ocupados. Posiciónese a sí mismo(a) a plena vista de miembros del personal.
8. Si usted está siendo presionado(a) por sexo, converse inmediatamente con un miembro del personal.
9. Si usted se da cuenta que otro preso(a) está siendo sexualmente abusado(a), repórtelo a un miembro del personal. La próxima vez podría ser usted.
10. Tenga cuidado con presos(as) que se ofrecen para protegerlo(a). Protección frecuentemente tiene un costo.
11. No de información acerca de su familia, amigos, o apoyo financiero.
12. No compre grandes cantidades de artículos de cantina.