



U. S. Department of Justice
Federal Bureau of Prisons
United States Penitentiary, Administrative Maximum
Florence, Colorado

INSTITUTION SUPPLEMENT

OPI: Education
NUMBER: FLM 1315.07F
DATE: October 15, 2010

Legal Activities, Inmate

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Approved: Blake R. Davis, Warden

- I. **PURPOSE AND SCOPE.** It is the policy of the United States Penitentiary, Administrative Maximum and Federal Prison Camp, Florence, Colorado, to provide reasonable access to legal materials, counsel, and reasonable opportunity to prepare legal documents. The purpose of this institution supplement is to provide procedures and guidelines for implementing Program Statement 1315.07, Legal Activities, Inmate, dated November 5, 1999.
- II. **SUMMARY OF CHANGES.**
 - To update references to the Electronic Law Libraries and procedures.
- III. **DIRECTIVES AFFECTED.**
 - A. **Directives Rescinded.**

IS FLM 1315.07E, Legal Activities, Inmate, dated January 14, 2009.
 - B. **Directives Referenced.**

Program Statement 1315.07, Legal Activities, Inmates, dated November 5, 1999.
Program Statement 5265.11, Correspondence, dated July 9, 1999.
Program Statement 5267.08, Visiting Regulations, dated May 11, 2006

C. **Standards Referenced.**

American Correctional Association 4th Edition Standards for Adult Correctional Institution: Standards 4-4266, 4-4267. ACA Foundation/Core Standards for Adult Correctional Institutions: FC2-4082, C2-4047, C2-4108; FC2-4086, C2-4104, C2-4197; FC2-4088 and C2-4105.

IV. **"MAIN" AND "BASIC" LAW LIBRARIES:**

- A. The "Main" law library at ADX Florence is located in the Education Department. The FPC "Electronic" law library is located in the Education Department. Operating hours are Sunday thru Saturday from 8:00 a.m. to 8:30 p.m.
- B. The ADX Electronic Law Libraries (ELL) are located in each housing unit within the ADX, and all required legal materials are available on the computer system within the unit's law library.
- C. Any printed materials that may be required will be maintained in the law libraries on the housing units. If not available, materials may be requested from the Main Law Library in the Education Department by submitting a Legal Materials Request form or standard Cop-Out (if no request forms are available). Requests should be limited to two per week, with no more than three requested legal items. Only the first two requests will be honored during the week, with subsequent requests returned to the inmate.
1. Accommodations are given to those inmates with a verified imminent court deadline (two consecutive two-hour periods for ordinarily five days). An imminent court deadline is required legal responses 30 days or less.
 2. Delivery of printed or copied materials will be provided to all units on Monday, Tuesday, Thursday and Friday.
 3. Check out time on materials from the main law library ordinarily will not exceed 24 hours, except on weekends and holidays.
 4. Inmates who lose, damage, or refuse to return materials checked out to them will be held responsible and will be subject to disciplinary action and restitution.
 5. Inmates vandalizing the ELL equipment will be subject to disciplinary action and restitution.
- D. The Main Law Library does not maintain state legal materials.

V. **MAINTENANCE OF LAW LIBRARIES:**

- A. Overall responsibility of insuring mandated materials are maintained in the law libraries is the responsibility of the Supervisor of Education.
- B. Responsibility for the day to day operations of the electronic law libraries is as follows:
 - 1. General Population Units: Unit Manager and Education staff.
 - 2. Main Law Library: Education staff.
 - 3. Special Housing Unit: Unit Officer and Education staff.
 - 4. Control Unit: Unit Officer and Education staff.
 - 5. Step Down Units: Unit Officer and Education staff.
 - 6. "H" Unit: Unit Officer and Education staff.

VI. **LEGAL RESEARCH AND PREPARATION OF LEGAL DOCUMENTS:**

- A. Inmates will be allowed to assist one another in the research and preparation of legal documents. Due to potential separation requirements and security concerns, inmates may not necessarily be allowed to have the specific inmate of their request help them in such endeavors. Inmates who seek assistance from other inmates are usually limited to those inmates on their respective range of the unit. Inmates housed within the segregation units are normally limited to the assistance of other inmates on their respective ranges. Any legal assistance from one inmate to another will need the approval of the unit manager.
- B. Inmates in general population who have been requested to provide legal assistance to an inmate housed in a closed unit (special housing, control, or hospital) may do so only if they are co-defendants or co-plaintiffs in a particular case. This legal assistance may only be done in writing.

Such written legal materials may always be inspected by staff to assure it neither jeopardizes the security nor orderly operation of the institution nor violates any institution regulation.

- C. Inmates will be allowed usage of the Electronic Law Library in two-hour blocks of time, except accommodations listed in 4(C)1. Unit Officers will maintain a law library log and an inmate will submit a request to the unit officer to be placed on the list for usage of the law library. Inmates are placed in the unit law library according to the order in which they sign up for its use.

- D. The inmate's Correctional Counselor is responsible for implementing procedures for duplicating personal legal documents as outlined in Program Statement 1315.07, Legal Activities, ADX inmates.

At the FPC, a copying machine is available in the Education Department library for use at the inmate's expense.

- F. Inmates may be allowed to maintain legal material necessary for legal actions and legal reference.

The amount of storage space provided for excess legal materials is dependent upon the amount of space available and legal materials will be limited to that amount which can be neatly stored in an inmate's cell. Ordinarily, the amount will be limited to a level of three (3) cubic feet per inmate.

An inmate, who claims a need for additional space for material in connection with legal activities, may be provided space for additional storage on a temporary basis. Such requests should be made through his unit team. In no circumstance should the amount of personal legal materials be such as to pose a fire, sanitation, security, or housekeeping hazard. The Legal Department should be consulted, by appropriate staff, if there is a question as to the need for bulky or excess legal material.

VII. **TYPEWRITERS AND GOVERNMENT STATIONERY:**

- A. Typewriters are not available for inmate use at the ADX. However, a listing of typing services will be made available upon request. The Education Department has no control over the fee schedule imposed for the service. Carbon paper may be requested through the Correctional Counselor.
- B. Typewriters are available for legal use only at the FPC. Inmates may be required to show verification to a staff member they are typing legal work. Unauthorized use of typewriters may result in disciplinary action. Inmates utilizing the typewriters will be required to provide their own typewriter ribbon and correction tape. These items are available for purchase through the commissary, with a possession limit of two. Indigent inmates will be allowed to check out ribbons through the Education Department. Typewriters will not be reserved by inmates, and any paper or materials left at the typewriters after and between shifts will be considered contraband.

VIII. **COPIES & PRINTS:**

The cost of all copies and prints is 15 cents (\$0.15) per page, double sided is 30 cents (\$0.30). A limit of three (3) items per week will be allowed. Indigent inmates (inmates not having a balance of \$6.00 for 30 days) and have a verified need for limited reproduction of legal materials and demonstrate materials are essential to meeting an imminent court

deadline or time sensitive legal issue will be provided up to 20 pages of legal materials per week. Inmates will be required to submit an Inmate Request for Printed Pages or Copies Without Funds form, and sign a BP-199 form, Request for Withdrawal of Inmate's Personal Funds.

- IX. **PROCEDURES GOVERNING USE AT FPC FLORENCE**: Law Library materials will not be removed from the Law Library. The materials are available on a first come, first served basis and must be returned in the condition in which they were received. Unauthorized possession of Law Library materials by an inmate will generally warrant disciplinary action. Further rules governing the use of the Electronic Law Library are posted in the Library. It is the responsibility of each user to be familiar with these rules. Inmates will not be excused from work assignments to utilize the Law Library, unless they have a current pending court date and approval of absence from work by the detail supervisor.
- X. **ATTORNEY VISITS**: Procedures for attorney visits are outlined in Program Statements 1315.07, Legal Activities, Inmates, dated November 5, 1999, Section 10, Visits by Attorneys.
- XI. **PARALEGALS, CLERKS, AND LEGAL ASSISTANTS**: Requests to enter the institution and correspond with an inmate as an attorney's "legal representative" will be processed by the Unit Team with the assistance of the Legal Department, if necessary.

DISTRIBUTION:

Directives Libraries
All Department Heads
Associate Warden (Programs)
Associate Warden (Operations)
Education Services, NCRO
AFGE
Inmate Law Library