



**DEPARTMENT OF CORRECTIONS
MONTANA STATE PRISON
OPERATIONAL PROCEDURE**

Procedure No.: MSP 3.4.102	Subject: UNIT RULES
Reference: DOC Policy 3.4.1	Page 1 of 5 and 0 attachments
Effective Date: January 5, 2004	Revised January 4, 2017
Signature / Title: /s/ Leroy Kirkegard / Warden	

I. PURPOSE

To set for the inmate housing, unit rules, and regulations for Montana State Prison.

II. DEFINITIONS

Disability – see DOC 3.3.15, Americans with Disabilities Act (ADA) Offender Accommodations, for the definition and an explanation of disability.

Unit Management Team (UMT) – Unit Manager, Correctional Sergeants assigned to first and second shifts, Case Manager, and officers as assigned.

III. PROCEDURES

A. General Requirements

1. Each UMT shall develop, maintain, publish, post, and distribute inmate housing unit rules.
2. All unit rules must follow the outline of section 'B' below.
3. These rules shall include the required sections as outlined in this policy and rules specific to the individual housing unit.
4. A copy of the unit's rules shall be given to each inmate moving into the unit and shall be posted in the commons areas of each housing unit.
5. The rules shall be reviewed at least annually, updated as needed, and the appropriate Associate Warden must approve any updates.

B. Requirements in Unit Rules

1. Each units' rules must include the following topics and statements as follows:
 - a. cells:
 - 1) all cell assignments are made at the discretion of staff who shall consult OMIS in order to implement any ADA accommodation information;
 - 2) requests made by inmates to change cells will be done at the discretion of unit staff who shall consult OMIS in order to implement any ADA accommodation information, and requests do not have to be granted.
 - b. Care:
 - 1) at no time are inmates allowed to use anything to cover the door window or count hole;

- 2) inmates may only use a curtain provided by MSP (if any) to cover the outside window of their assigned cell;
 - 3) at no time shall an inmate cover or block either the light fixture or air vent in a cell; and
 - 4) at no time are inmates allowed to tape or otherwise attach anything to the walls in a cell. The bulletin board(s) in the cell (if any) shall be used for this purpose.
- c. Dayroom:
- 1) dayroom hours;
 - 2) the times and methods that the dayrooms will be cleaned (i.e. inmate assigned by cell or block “swampers”);
 - 3) allowable dayroom activities; and
 - 4) whether or not inmates are allowed to visit in other inmate’s cells.
- d. Inmate movement:
- 1) movement procedures within the unit; and
 - 2) movement procedures into and out of the unit.
- e. State laundry:
- 1) possession limits of state issued laundry;
 - 2) the laundry exchange schedule; and
 - 3) the procedure and time frames for the issue and replacement of state issued footwear.
- f. Personal laundry:
- 1) Montana State Prison is not liable for any loss or damage to personal items laundered in the unit laundry facilities. Use these services at your own risk; and
 - 2) the unit personal laundry schedule.
- g. Special needs:
- 1) inmates are responsible for notifying unit staff of any special needs, disabilities, and/or requests for reasonable accommodations; and
 - 2) procedures for implementing individual inmate special needs (i.e. HSR’s, etc.).
- h. Inmate phones:
- 1) all calls made using inmate phones (with the exception of calls to verified attorneys of record) are subject to recording and/or monitoring by Montana State Prison staff; and
 - 2) procedures for phone use and/or phone use requests.
 - 3) Auxiliary aids and services and reasonable accommodations are available for inmates who are deaf or hard of hearing, pursuant to MSP 3.3.7.
- i. Mail pickup and delivery:
- 1) procedures for inmates to follow when depositing mail;
 - 2) outgoing mail must be deposited before 0800 hours, or it won’t go to the Mail Room until the next day;
 - 3) unit staff will mark and deliver incoming mail as time allows; and
 - 4) how to obtain necessary forms.
- j. Scheduled activities:
- 1) recreation:
 - a) time frames for gym and yard calls;

- b) inmates must be dressed in state issue pants and shirt or gray sweats before they will be allowed to leave the unit for gym and yard; and
- c) inmates are not allowed to take canteen or personal items to yard or gym.
- 2) Religious/RAC;
- 3) visiting;
- 4) meals:
 - a) general time frames;
 - b) chow call announcements and rotations;
 - c) inmates must go to and return from the Dining Hall with their assigned block/level/cube; and
 - d) inmates are not allowed to take canteen or personal items to the Dining Hall.
- k. Personal property:
 - 1) inmates may only acquire, store, and dispose of personal property items during their incarceration as outlined in *MSP Procedure 4.1.3, Inmate Personal Property*;
 - 2) possession limits on canteen items that are not on the current property list (i.e. rug, hot pot, fan, personal cooler, extension cord, etc.); and
 - 3) inmates are not allowed to possess more than fifteen (15) magazines, newspapers, catalogs etc. combined.
- l. Hobby:
 - 1) allowable hobby craft activities for the unit;
 - 2) procedures for storing and working on/with allowable hobby craft items;
 - 3) hobby craft permits must be openly displayed; and
 - 4) Finished hobby craft items must be sent out.
- m. Commissary:
 - 1) procedures for the distribution of commissary;
 - 2) inmates shall open, check and verify all deliveries in the presence of staff at the time of receipt;
 - 3) inmates must report discrepancies to staff immediately upon receipt, and staff will process discrepancies in accordance with the commissary policy;
 - 4) no action will be taken if an inmate fails to open and check the commissary orders in the presence of staff, and then later claims a discrepancy; and
 - 5) inmates are not allowed to exchange commissary items.
- n. Inmate hygiene:
 - 1) inmates must be fully clothed when leaving the unit. This includes state issue shirt and pants, except for recreation (and recreation workers going to work). Inmates going to recreation may wear gray sweats in place of the state issue shirt and pants;
 - 2) inmates who are actively working at outdoor work assignments may remove their outer shirt providing they are wearing a solid white cotton t-shirt underneath;
 - 3) inmates are expected to maintain themselves in a neat and clean state;
 - 4) hair is to be kept well-groomed and clean. If hair length is longer than the bottom of the collar, it must be put up in a ponytail or braid when the inmate is out of his living quarters;
 - 5) inmates will get dressed or change their clothes in their assigned cells, unless sanctioned or authorized by staff otherwise; and

- 6) inmates will remain behind the shower curtains (if available) or behind the entrance in the communal showers, until they are dressed in a minimum of their underwear.
- o. Security:
 - 1) inmates are not allowed to create loud noises during count and are required to go to their assigned area for count. All movement is restricted until staff announces that the count is clear. Inmates must be visible to staff for all counts and are required to be standing, with the cell light on, for the 2100 count. Violations will result in disciplinary action. Reasonable accommodations shall be available to inmates with disabilities that affect their ability to stand, as provided in *MSP Procedure 3.1.21*;
 - 2) cells may be searched at any time, and the inmate's presence is not required. Any item found that is suspected of being contraband shall be seized and processed in accordance with *MSP Procedure 3.4.1, Institutional Discipline*; and
 - 3) inmates are subject to random pat searches at any time. When ordered by a staff member to submit to a pat search inmates are to stop, turn away from the staff member, take their hat and coat off, open their hands, place their arms straight out to their sides, and maintain that position until the staff member conducting the search informs them that the search is completed. Reasonable accommodations shall be available to inmates with disabilities that affect their ability to participate in searches, as provided in *MSP Procedure 3.1.17A*.
- p. Emergency procedures:
 - 1) lockdown procedure that outlines what actions inmates must take during emergency and count lockdowns;
 - 2) fire drills will be conducted to educate and prepare for evacuation procedures; and
 - 3) location of posted evacuation route diagrams.
 - 4) evacuation procedures and routes for inmates with disabilities.
- q. Classification:
 - 1) classification is as follows in *MSP Procedure 4.2.1, Inmate Classification System*.
- r. Grievance procedures:
 - 1) brief outline of the inmate grievance procedure to include:
 - a) the necessity for inmates to attempt informal resolution and steps they should take to complete that requirement; how inmates can obtain grievance forms, get help completing them, and submit them once completed;
 - b) how inmates can obtain grievance forms, get help completing them, and submit them once completed; and
 - c) availability of reasonable accommodations for inmates with visual, hearing, learning, cognitive or other disabilities.
- s. Indigent status and information regarding the indigent policy (eligibility, how and when to apply);
- t. chain of command:
 - 1) inmates must use the appropriate Chain of Command to address concerns;
 - 2) description of the Unit Management Team chain of command (CO, SGT, CM, UM) and each position's responsibilities (security, casework, supervision, etc.);
 - 3) description of the offender ADA Coordinator's job and process for requesting reasonable accommodations; and
 - 4) how to access unit staff (open door or kite system).

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- u. Disciplinary and how failure to follow unit rules, policies and procedures will result in disciplinary action per *MSP Procedure 3.4.1, Institutional Discipline*.

IV. CLOSING

Questions concerning this policy shall be directed to the respective Associate Warden

V. ATTACHMENTS

None