



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

Procedure:	<b>MSP 3.4.102 UNIT RULES</b>
Effective Date:	January 5, 2004 <span style="float: right;">Page 1 of 5 and no Attachments</span>
Revision Date(s):	January 9, 2015, January 4, 2017, December 15, 2019, November 30, 2020, December 15, 2021
Reference(s):	DOC Policy 3.4.1
Signature:	Jim Salmonsens / Warden

## **I. PURPOSE**

To establish guidelines for inmate housing unit rules within the various housing units at Montana State Prison (MSP).

## **II. DEFINITIONS**

**Disability** –A physical or mental impairment that substantially limits one or more of a person’s major life activities, a person who has a record of such an impairment, or a person who is regarded as having such an impairment. See Americans with Disabilities Act of 1990 42 USC 12010, as amended.

**OMIS** – Acronym for the Department’s Offender Management Information System.

**Unit Management Team (UMT)** – The housing unit staff consisting of the Unit Manager, Case Manger(s), Sergeants, Security Technicians and Correctional Officers.

## **III. PROCEDURES**

### **A. General Requirements**

1. Each UMT will 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 will include the required sections as outlined in this procedure and rules specific to the individual housing unit.
4. A copy of the unit’s rules will be given to each inmate moving into the unit and will be posted in the common areas of each housing unit.
5. The rules shall be reviewed at least annually, updated as needed. The Associate Warden of Housing or designee must approve any updates.

### **B. Requirements in Unit Rules**

1. Each unit’s 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 accommodations or HSR/medical requirements. A cell compatibility check will be done.
  - 2) Requests made by inmates 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) Inmates may utilize the grievance process for any lost or damaged laundry. Grievances will be submitted as outlined in *MSP 3.3.3, Inmate Grievance Program*.
  - 2) Inmates will follow the unit 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 MSP 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, Inmate Access to Telephones*.
- 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.
- k. Religious/RAC.
- l. Visiting:
- 1) Visiting days and times
  - 2) Requirements for visitors
- m. Tablet use:
- 1) Unit tablet schedule
  - 2) Tablet use and rules
- n. Video visitation
- 1) Use
  - 2) Availability
  - 3) Rules
- o. Meals:
- 1) General time frames.
  - 2) Chow call announcements and rotations.
  - 3) Inmates must go to and return from the Dining Hall with their assigned block/level/cube; and
  - 4) Inmates are not allowed to take canteen or personal items to the Dining Hall.
- p. Personal property:
- 1) Inmates may only acquire, store, and dispose of personal property items during their incarceration as outlined in *MSP 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.
- q. 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.
- r. Canteen:
- 1) Procedures for the distribution of canteen.
  - 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 *MSP 1.2.10, Canteen*.

- 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.
- s. 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.
- t. 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 3.1.21, Inmate Count & Supervision*.
  - 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 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 3.1.17a, Searches*.
- u. 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.

- v. Classification:
  - 1) Classification is as follows in *MSP 4.2.1, Inmate Classification System*.
- w. 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.
- x. Indigent status and information regarding the indigent policy (eligibility, how and when to apply) per *DOC 4.1.4, Indigent Status*.
- y. 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).
- z. Disciplinary and how failure to follow unit rules, policies and procedures will result in disciplinary action per *MSP 3.4.1, Institutional Discipline*.

#### IV. CLOSING

Questions concerning this procedure shall be directed to the Associate Warden of Security

#### V. ATTACHMENTS

None