

**DICKINSON COUNTY JAIL
SPIRIT LAKE, IOWA 51360**

INMATE RULES HANDBOOK

Revised January 2010

Rules Handbook

All inmates entering the Dickinson County Jail shall read and become familiar with the Inmate Rules Book. Inmates are responsible for adhering to all the rules herein, while they are incarcerated. Handbooks are located in each cell and available 24 hours a day. The handbook shall not be damaged.

This handbook has been prepared for the benefit of the inmate. The inmates should read it so that they are aware of what rules they must obey and what jail services are available to them. The handbook is a basic guide and is not intended to cover all rules and regulations of the jail.

Failure to read this handbook is not a defense for non-compliance with the contents of this handbook.

Guideline

The charges pending against an inmate are not of concern to the staff of the Dickinson County Jail. The staff has no desire to discuss an inmate's case. That is a matter between the inmate, their lawyer, and the courts. An inmate's stay at the jail will pass without consequence if they act in accordance with the jail rules.

Control

The operation and control of the Dickinson County Jail is the sole responsibility of the jail staff. No inmate shall be found to have authority or disciplinary control over other inmates.

Obedience to Staff

The jail staff is in control of this facility at all times. Inmates shall follow instructions given by the staff. Failure to do so will result in disciplinary action against the inmate.

Warning

Inmates are to be advised that anything they say or do while incarcerated in jail can be used against them. They have no right to privacy in this regard. This does not apply to an inmate's meetings with their legal counsel. Inmates should also be aware that they and the premises they occupy are subject to search at random. Jail staff shall conduct random searches without notice. Inmates shall not be allowed in their cells at the time of search.

Fire Precautions

In the event of a fire, inmates are instructed to advise the jail officer on duty of the situation. They then shall follow all instructions or directions given to them by the jail staff. The staff is trained in how to handle these situations.

The use of lighters, matches, or other fire producing devices, are prohibited inside the Dickinson County Jail.

Personal Property

All personal property including, but not limited to, money, jewelry, and clothing that was in the possession of the inmate at the time of booking into this facility, shall be inventoried and stored by the jail staff. The items will be returned to the inmate upon their release or transfer to another facility.

Only approved personal property shall be allowed in a cell. That is property allowed by jail rules or commissary items purchased by the inmate. The amount of personal property that an inmate can have in their cell is limited to what property will fit in their plastic bin. All other property will be placed in their locker or disposed of. Acceptable items include:

Money credited to an inmate's account.

Reasonable amounts of legal material.

5 pictures (not larger than 4x6). Polaroid pictures are prohibited.

Ink Pens only issued by the jail staff.

There will be no releases or exchanges on the above listed items. All other items of property will not be accepted. The jail will not accept items for inmates scheduled to be transported to an institution. Inmates should make arrangements for their personal property to be picked up prior to transfer. They shall also provide the jail with a written release of their property to whomever they intend to release it to. If arrangements are not available, they shall write a release to the jail for disposal of their property. All property left at the jail for 60 days after the inmate's release shall be disposed of.

If an inmate is unable to post bond, or is denied bond, all money in their possession shall be placed into the inmate commissary account. Inmates are allowed to purchase items from the commissary only after all outstanding medical costs, prescription drug costs, and any other costs that are owed to the jail are paid in full. The balance of the inmate's account is provided to them upon release from this facility. Money may be left for the inmate's between the hours of 8:00am and 4:30pm. Only cash will be accepted. Money may not be transferred from one account to another. An inmate may release money from their account by presenting the jail staff with a written request stating the amount to be released and the reason for the request.

Personal Property of Inmates Sentenced to Oakdale

Inmates, who have received a sentence to be served in the custody of the department of corrections, may take only a limited amount of personal items with them to Oakdale. Oakdale will only accept the following property:

- Pictures (no Polaroid type)
- Watches – valued under \$50.00
- Plain wedding bands – no gemstones
- Necklace with religious medallion
- Medical alert bracelet/necklace
- Bible
- Address book
- Legal papers

Inmate property will not be left at the Dickinson County Jail. All inmate property will be transported with the inmate. The staff at Oakdale will determine final disposition. Property that is unauthorized by the classification center will be mailed out of the facility at the inmate's expense.

Issued Inmate Property

The inmate is responsible for each item of property issued to them by Jail Staff. Destruction or loss of property may result in replacement costs being furnished by the inmate or in some cases, a criminal charge being filed against the inmate.

Cleanliness and Upkeep of Cells

Cleanliness is mandatory and is the obligation of each inmate to keep the cell and his/her person clean and orderly at all times. Any inmate not conforming to these rules will be subject to disciplinary action.

- Bunks will be kept neat and orderly at all times.
- Cleaning supplies will be provided daily. Failure to participate in the cleaning details will result in suspension of privileges.
- The walls, floors and ceiling will be kept clean. Cleaning compounds and utensils will be issued daily with materials provided by staff.
- Toilets and sinks will be cleaned daily with the materials to be provided by the jail staff.
- Mops and other cleaning materials are to be cleaned after each use.
- Floors will be mopped daily.
- No food shall be kept in the cell, unless purchased from an inmate's commissary account. Meals not eaten shall not be saved.
- Inmates doing cleaning shall be required to wear disposable gloves, while participating in cleaning activities.

Inmate Hygiene

Inmates shall maintain themselves in a manner to ensure a sanitary environment in jail. All inmates held over 24 hours shall be required to shower and bathe. Inmates may be required to shave or cut their hair for health reasons. Female inmates shall be furnished with sanitary napkins, as required.

Rules of Order

Inmates should be advised that their behavior will be monitored by means of video observation, as well as personal observation,

- An inmate will stay properly dressed at all times, except for usage of the shower..
- An inmate will be responsible for keeping his clothes and linen intact and complete.
- An inmate will not destroy or deface any jail property or any other property belonging to another inmate, officer, or visitor.
- Any picture or other articles found stuck to the walls, ceilings, bunks, etc. shall be destroyed.
- An inmate will be polite in communication with visitors and officers.
- An inmate will refrain from making excessive noise in the facility.
- An inmate will never leave the area they are confined to without the permission of the jail officer.
- An inmate may never enter the jail office, or storage area, unless directed to by the jail staff.
- An inmate will not communicate with the public verbally, by written note, or by any other form of communication, unless it is through normally permitted channels.
- An inmate will be responsible to keep his person clean and free of vermin.
- An inmate must never make remarks aimed at jail officers that are threatening, obscene, or contain sexual overtones.
- Possession of contraband is prohibited. Contraband is defined as any item not issued or expressly permitted by the jail staff.
- Violations of jail rules will result in inter-facility disciplinary procedures, as set forth in department policies and procedures.
- An inmate may not use towels, clothing, or any other materials that would obstruct the camera or jail officer from viewing them. At no time will clothing be allowed to hang suspended but will instead be kept folded in a neat and orderly fashion.

Telephone calls to the courthouse, sheriff's office, or employees of the sheriff's office are prohibited. Telephones may be turned off periodically for security reasons.

Television

A television is provided in the dayroom of each cell and one is provided in each of the dormitory style cells. Destruction of any television or its components shall result in disciplinary action taken or a criminal charge filed.

Television may be turned on a 6AM and will be turned off at 11PM daily. The volume is to be at a level that does not disturb other inmates or officers performing their duties. Arguments regarding televisions may result in loss of use. The television may be turned off at any time at the discretion of jail staff.

Lockdown

At 11PM each night, lockdown shall commence and inmates will be placed in their cells. Lockdown ends at 6AM.

Correspondence

Inmates may write as often as they wish, provided that the letters do not violate U.S. Post Office regulations or jail security. The Dickinson County Jail will furnish postage for indigent inmates for a maximum of 3 letters per week. To send letters, the following procedures must be followed:

- Show your full name in the space marked.
- Show the name and complete address of the person you are writing.
- Present the outgoing letter unsealed to jail staff for mailing.

The only letters not required to be left unsealed, are letters to attorneys, judges, citizen's aid office, governor of Iowa, members of the federal and state legislature, or clerks of the federal or state courts.

Incoming and outgoing mail may be opened and inspected for contraband or other security issues. Incoming mail from an attorney may be opened and examined for contraband. This is to be done in the presence of the inmate and the letter may not be read. Letters mailed by an inmate to their attorney shall be mailed without examination or censorship.

Packages sent to the jail will not be allowed, without the approval of the Sheriff or Jail Administrator.

Access to Courts

The county law library is available by making written requests for particular information. No more than 2 books at a time will be permitted. All materials must be given back to staff by lockup, as they are not to be kept overnight. Inmates will not be entitled to any

additional books, until previous books are returned. For greater access to the courts, letters may be written to the presiding judge, which will be forwarded without delay.

Medical Requests / Costs

It is the policy of the Dickinson County Sheriff's Office to make available necessary medical and dental care to inmates of the jail. Pursuant to the Iowa Administrative Code 201, Chapter 50.15, responsibility for the costs of medical care, dental services and products, including prescriptions, remain that of the inmate.

The Dickinson County Jail will deduct fifty percent (50%) of all incoming inmate account money and apply it towards the inmate's medical bill. The remaining account money can still be used for commissary items, including phone cards.

Requests for medical or dental care are to be submitted Monday through Friday on the "Request for Medical Care" form. These can be obtained at breakfast time. There will be a \$5.00 charge assessed per trip to the doctor or dentist.

Medication

Medication shall be given as prescribed by a doctor or dentist. Medication shall be taken in the immediate presence of the jail officer. The inmate must show that they have taken it. All medication will be given at prescribed times.

Attorney Visitation

An inmate is entitled to see and contact their attorney, while they are incarcerated. They may attempt to contact him by phone or letter. Attorney visits may be conducted from 8AM until 5PM, Monday through Friday. Alternate times may be allowed, should circumstances warrant. For those circumstances, requests must be placed in writing and have the approval of the Sheriff or Jail Administrator.

Visitation

Inmate visitation will take place on Fridays, from 1PM until 4:30PM. Each visit will last a maximum of 30 minutes. The visitation will take place via video teleconference. The visitor will sign in at the desk in the Sheriff's Office. All inmates desiring visitors will fill out a visitor request form. The form shall state the name and complete address of the visitor. The form is to be returned to the jail staff for approval. An inmate shall have no more than 3 visitors listed on the form. Staff will determine whether or not the visitors will be allowed to visit. The inmate may update an inmates visiting list every 60 days. Visitors who have been Dickinson County inmates within the last 90 days will not be allowed to visit. Inmates are advised to remember that visitation is a privilege.

Religion

All inmates will be afforded a reasonable opportunity to pursue their religious faith, while keeping with security requirements. Inmates may have their own clergy person visit them upon proof of identification. The clergy person shall not be related to the inmate or regular visitation requirements shall apply.

Meals

Inmates are served three meals a day at designated times. Food is not to be kept in the cells after finishing the meal process. All utensils provided with the meal are to be given back to the jail officer after finishing the meal.

Services

The following are a list of services provided by the Dickinson County Jail:

- **Exercise:** Inmates are allowed 2 hours of exercise per week, as dictated in the Iowa Jail Rules. Exercise opportunities shall be offered every Monday and Thursday sometime during the early evening hours. Participation is voluntary.
- **Notarization of Legal Papers:** The services of a notary public are available Monday through Friday between 8AM and 4:30PM. To have a document notarized submit a request to the jail officer.
- **Counseling:** Members of the Seasons Center for Mental Health are in the facility periodically. To request to see one, contact the officer on duty.
- **Commissary:** Inmates are allowed to purchase items through the jail commissary. An account is set up for them in which the purchases can be made from.
- **Commissary is a privilege:** Inmates are encouraged to speak with a jail officer with any questions.

Discipline and Inmate Rights

Inmates who have allegedly violated jail rules shall be provided information pertaining to the handling of disciplinary hearings consistent with the due process rights of the accused. This notice shall include the following: notice of the charges and a description of the hearing process. The jail staff shall prepare a disciplinary report of the incident. The Jail Administrator or his designee will conduct an impartial investigation within 24 hours of the time the violation is reported and to be completed without unreasonable delay, unless there are exceptional circumstances for delaying the investigation. The inmate may be moved to segregation for prehearing detention for the rule violation. The Jail Administrator or designee shall review the prehearing status within 72 hours. The inmate shall be given the information on the rules violation at least 24 hours prior to the hearing. The hearing, held in front of impartial persons (Disciplinary Hearing Board),

may be held in less than 24 hours with a written consent of the prisoner. The inmate will be present at the hearing, unless the inmate waives that right in writing or is a threat to the security and safety of the facility. Inmates may be excluded during testimony. Any inmate's absence shall be documented. The hearing shall take place no later than 7 days from the incident, excluding weekends and holidays. A postponement or continuance of the hearing may take place for a reasonable period and for good cause, as long as it is documented. The inmate is allowed to make a statement and present documentary evidence at the hearing and to call witnesses on their behalf, unless calling witnesses creates a threat to the security or safety of the facility. The reasons for denying such a request shall be documented. A staff member or agency representative may assist the inmate at disciplinary hearings. A representative shall be appointed when it is apparent that a prisoner is not capable of collecting and presenting evidence on the inmate's own behalf. The impartial person shall base their decision solely on information obtained in the hearing process. The Jail Administrator or designee shall review all disciplinary hearings and dispositions to ensure conformity with the jail policy and procedures. A written report will be made of the decision and a copy be given to the inmate, the original along with all paperwork pertaining to said incident shall be placed in the Incident Reports binder found in the Jail Office. The inmate has the right to appeal the board's decision to the Jail Administrator or the Sheriff. The inmate must appeal the board's decision within 24 hours of receiving the written decision.

DISCIPLINE HEARING BOARD

Policy Statement:

The purpose of the Disciplinary Hearing Board is to conform with Wolf vs. McDonald, 418 U.S. 539 (1974), and other applicable state and federal laws and court dealing with refractory prisoners.

The Board will be comprised of three impartial persons appointed by the Jail Administrator or Sheriff.

The finding of the Board will be uncontestable, with a right to appeal to the Sheriff or Jail Administrator.

Disciplinary action will apply only to violations of documented rules and regulations of the Dickinson County Jail, and upon notification in writing (incident report) to the Board by the officer involved in this specific incident.

Inmate Rights

Minor rules infractions require no formal disciplinary hearing because they do not result in significant deprivation of privileges.

Prisoners who have allegedly violated jail rules shall be provided information pertaining to the handling of disciplinary hearings consistent with the due process rights of the accused.

When a violation occurs and has been properly investigated, the inmate shall be given notice in writing of the alleged violation. The inmate shall be given the charges not less than 24 hours before any disciplinary proceeding. All disciplinary hearings shall take place no later than 7 days following the rule violation, excluding holidays and weekends.

Grievance Procedure

An inmate wishing to file a grievance shall do so in writing. An inmate has 3 days to file a grievance. The jail administrator has 5 days in which to respond, excluding weekends and holidays. The inmate has 3 days to appeal that decision. The Sheriff will have 10 days to respond, excluding weekends and holidays. His decision is final.

Laundry Schedule

Each cell will get clean clothing 3 days per week. The days of the week each cell will get clean clothing is as follows.

Cell 1304 Sunday, Tuesday, and Thursday
Cell 1303D Monday, Wednesday, and Friday
Cell 1303A Sunday, Tuesday, and Thursday
Cell 1302 Monday, Wednesday, and Friday
Cell 1301 Sunday, Tuesday, and Thursday