

	State of Alaska Department of Corrections Policies and Procedures	Index #: 808.05	Page 1 of 1
		Effective:	Reviewed:
		Distribution:	Due for Rev:
	Chapter: Prisoner Rights		
	Subject: Environmental and Programmatic Rights of Prisoners		

Authority

In accordance with AS 44.28.030, AS 33.30.030, and 22 AAC 05.155, the Department of Corrections shall develop and adopt policies and procedures that are consistent with laws for the guidance, government and administration of correctional facilities, programs and field services.

Purpose

To establish procedures to ensure prisoners a healthy environment as relates to living areas, recreational and exercise areas, and medical and dental care.

Application

To all employees and prisoners.

Definitions

As used in this document, the following definitions shall apply:

Discrimination:

Exercising a difference in action or process based upon a person's race, religion, color, sex, age or national origin when such behavior may cause that person loss.

Policy

- A. Prisoners have certain rights relative to the conditions of their confinement that have been recognized and are mandated. These rights include:
1. Single or double cell occupancy, and/or supervised dormitories;
 2. Clean and orderly surroundings;
 3. Adequate toilet, bathing and laundry facilities;
 4. Adequate lighting, heating and ventilation;
 5. Compliance with state, federal and local fire and life safety laws and regulations;
 6. A wholesome, properly prepared, nutritionally adequate diet;
 7. Health care services comparable in quality to those locally available to the general public;
 8. Access to both indoor and/or outdoor recreational opportunities and equipment;
 9. Access to clergymen, religious advisors, publications and related services which allow prisoners to adhere to legitimate religious practices;
 10. Visitation with legal representatives and other visitors in a visiting area which is limited only by those institutional requirements necessary to maintain order and security;
 11. Communication and/or correspondence between prisoners and other persons and organizations limited only as necessary to maintain order and security;
 12. Institutions shall not place limits upon the volume of a prisoner's incoming and outgoing mail except that limits may be placed on mail used by a prisoner to conduct business activities. Institutions will pay postage for up to five first class letters pertaining to legal matters per week for prisoners with insufficient funds.
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13. Prisoners shall be permitted to receive paperback books, newspaper clippings and magazines from any source subject to inspection for contraband and a determination that the material would not aid in escape or incite violence;
14. Each prisoner, except those in punitive segregation, shall be permitted to complete telephone calls;
15. Pre-trial detainees shall be housed separately from sentenced felons, except when they waive the right by the exercise of a Prisoner Housing Waiver (form 20-808.05A) and agree to be intermixed because of work assignments and/or institutional programming;
16. Pre-trial detainees, except those in punitive segregation, shall be eligible for participating in educational programs, religious services, and counseling;
17. Pre-trial detainees, except those in punitive segregation or in administrative segregation pending investigation of a disciplinary infraction, shall be permitted to wear their personal clothing except under circumstances where security considerations require a clothing restriction;
18. Freedom from discrimination is a basic right extended to all prisoners. Programs, activities, services or assignment shall not be denied or granted any prisoner based upon discrimination;
19. A safe environment shall be maintained for prisoners;
20. Personal choice regarding grooming and appearance shall be limited only by institutional requirements for safety, identification, hygiene or security;
21. Each prisoner shall have access to a Prisoner Handbook which sets forth institutional rules, procedures and prisoner conduct;
22. Prisoners shall be permitted access to broadcast media through radio;
23. Prisoners shall be permitted to visit with news media representatives once media access request procedures have been completed;
24. Every prisoner confined to an institution is entitled to report and file a grievance in accordance with established procedures;
25. All prisoners shall be permitted access to an institution's law library or contents; and
26. Each prisoner accused of a violation of institutional rules shall be afforded an impartial hearing before a disciplinary sanction may be imposed.

Procedures

Specific procedures to fulfill requirements described in the policy section of this document are outlined in the following chapters of this manual:

- A. Classification- Chapter: 700
 - B. Physical Plant- Chapter: 801
 - C. Food Services- Chapter: 805
 - D. Sanitation and Hygiene- Chapter: 806
 - E. Medical and Health Care- Chapter: 807
 - F. Prisoner Rights - Chapter: 808
 - G. Prisoner Rules and Discipline- Chapter: 809
 - H. Communication, Mail and Visiting- Chapter: 810
 - I. Reception and Orientation- Chapter: 811
 - J. Library Services- Chapter: 814
 - K. Recreation and Prisoner Activities- Chapter: 815
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L. Religious Services- Chapter: 816

Implementation

This policy and procedure is effective as of the date signed by the Commissioner. Each Manager shall incorporate the contents of this document into policy and procedure within 14 days. All local policies and procedures must conform to the contents of this document any deviation from the contents of this document must be approved in writing from the Commissioner or designee.

DATE

9-10-85



Roger W. Endell, Commissioner
Department of Corrections

Applicable forms:
808.05A
