



# **Federal Bureau of Prisons Pretrial Detention Legal Access Handbook**

Information about how adults in pretrial detention  
can access the courts and their attorney.

# Pretrial Detention Legal Access Handbook

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# Introduction

This Pretrial Detention Legal Access Handbook has information about legal access in the Bureau of Prisons (“Bureau”) for adults in pretrial custody with pending criminal legal cases.

The information is current as of the date of publication. For information about your detention that does not relate to legal access, look at your institution’s Admissions and Orientation Handbook.

## Does this handbook apply to me?

A criminal case begins when you are arrested and charged by a prosecutor for allegedly committing a crime, or crimes. The judge will decide whether to release or hold you in custody while your case moves forward. If the judge holds you in custody, then this Handbook applies to you. This Handbook will apply to you while you are in Bureau pretrial custody and until you are sentenced.

People with pretrial status have certain constitutional rights of access to the legal process and to their attorney. Access to your attorney includes access to any legal assistants that are on the defense team.

## What facilities does this handbook cover?

This Handbook is a general guide to legal access in the Bureau’s pretrial facilities. The rules and procedures may be different if:

- you are transferred to a facility that is not operated by the Bureau.
- you are sentenced in your criminal case and transferred to a Bureau prison which houses people who are serving their criminal sentences.

These facilities are for people in custody that are pretrial.

Pretrial Detention Facilities:	
<ul style="list-style-type: none"><li>• MDC Brooklyn</li><li>• MCC Chicago</li><li>• MDC Guaynabo</li><li>• FDC Honolulu</li><li>• FDC Houston</li></ul>	<ul style="list-style-type: none"><li>• MDC Los Angeles</li><li>• FDC Miami</li><li>• FDC Philadelphia</li><li>• FDC SeaTac</li><li>• MCC San Diego.</li></ul>
Facilities with Pretrial Detention Centers:	
<ul style="list-style-type: none"><li>• FDC Atlanta</li><li>• FDC Milan</li><li>• FDC Sheridan</li><li>• FDC Tallahassee</li></ul>	<ul style="list-style-type: none"><li>• FDC Englewood</li><li>• FDC Fort Worth</li><li>• FDC Seagoville</li></ul>

There are also other Bureau facilities with pretrial units or bed spaces. If you are a pretrial Adult in Custody (AIC) at a Bureau facility that is not one of the listed pretrial facilities, you should have the same or similar legal access. This includes if you are at a facility for a mental health examination or restoration.

If you don't know the local procedure for legal access at your facility, you can make a legal access request to your Unit Team in writing.

### **Questions?**

This Handbook is a general guide. It may not answer every question about legal access.

If you have questions, ask your Unit Team. This team includes the Unit Manager, Counselor, Case Manager, and Unit Secretary. Your Unit Team cannot provide any legal advice to you. For any legal advice you must ask your attorney.

# Language Assistance and Other Accommodations

## I need this handbook in a different language than I received it!

Please show an employee this sentence if you need this Pretrial Detention Legal Access Handbook in this language (English).

يُرجى أن تُظهر هذه الجملة لأحد الموظفين إذا أردت الحصول على دليل الوصول القانوني لما قبل المحاكمة بهذه اللغة (العربية). [Arabic]

Muéstrele esta oración a un empleado si necesita este Manual de acceso jurídico durante la detención previa al juicio en este idioma (español). [Spanish]

Խնդրում ենք աշխատակցին ցույց տալ այս նախադասությունը, եթե Ձեզ անհրաժեշտ է այս լեզվով (հայերեն) նախնական կարանքի իրավական մուտքի ձեռնարկը: [Armenian]

如果您需要这种语言 (简体中文) 的审前拘留法律服务手册, 请向员工出示此句子。 [Chinese – Simplified]

如果您需要這種語言 (繁體中文) 的審前拘留法律服務手冊, 請向員工出示此句子。 [Chinese – Traditional]

لطفاً اِكر به این دفترچه راهنمای دسترسی قانونی بازداشت پیش از محاکمه به زبان دری نیاز دارید به کارمندان این جمله را نشان دهید. [Dari]

ਕਿਰਪਾ ਕਰਕੇ ਕਿਸੇ ਕਰਮਚਾਰੀ ਨੂੰ ਇਹ ਵਾਕ ਦਿਖਾਓ ਜੇਕਰ ਤੁਹਾਨੂੰ ਇਸ ਭਾਸ਼ਾ (ਪੰਜਾਬੀ) ਵਿੱਚ ਪ੍ਰੀ-ਟਰਾਇਲ ਡਿਟੈਂਸ਼ਨ ਲੀਗਲ ਐਕਸੈਸ ਹੈਂਡਬੁੱਕ ਦੀ ਲੋੜ ਹੈ। [Eastern Punjabi]

لطفاً اِكر به این دفترچه راهنمای دسترسی قانونی بازداشت پیش از محاکمه به زبان فارسی نیاز دارید به کارمندان این جمله را نشان دهید. [Farsi]

Veuillez montrer cette phrase à un employé si vous avez besoin de ce guide d'accès juridique lors de la détention provisoire dans cette langue (français). [French]

Bitte zeigen Sie diesen Satz einem Angestellten, wenn Sie dieses Handbuch für den Zugang zu Rechtsdienstleistungen für Personen in Untersuchungshaft in dieser Sprache (Deutsch) benötigen. [German]

Παρακαλείσθε να δείξετε σε έναν υπάλληλο αυτήν την πρόταση εάν χρειάζεστε αυτό το εγχειρίδιο νομικής πρόσβασης κατά την προφυλάκιση σε αυτήν τη γλώσσα (ελληνικά). [Greek]

Tanpri montre yon anplwaye fraz sa a si ou bezwen Manyèl Aksè Legal Detansyon Anvan Jijman sa a nan lang sa a (Kreyòl). [Haitian Creole]

Mostra a un dipendente questa frase se hai bisogno di questa Guida per l'accesso legale durante la custodia cautelare in questa lingua (italiano). [Italian]

あなたがこの言語 (日本語版) の未決拘留者の法的権利へのアクセスに関するハンドブックを必要とされる場合は、この文を担当者に示してください。 [Japanese]

귀하가 이 언어(한국어)로 된 미결 구금 법적 접근 안내서가 필요한 경우, 이 문장을 직원에게 보여주십시오. [Korean]

Por favor, mostre esta frase a um funcionário, se você precisar deste Manual de Acesso Jurídico para Detenção Pré-Julgamento neste idioma (português). [Portuguese]

Если вам нужно получить этот "Справочник о правах доступа к юридическим услугам во время досудебного содержания под стражей" на этом языке (на русском) – просим вас показать это предложение работнику заведения. [Russian]

Покажите неком од запослених ову реченицу ако вам овај Приручник о приступу правним питањима за лица у притвору треба на овом језику (српски). [Serbian]

Mangyaring ipakita sa isang empleyado ang pangungusap na ito kung kailangan mo itong Polyeto ng Legal na Pag-abot ng Pretrial na Pagkulong sa wikang ito (Tagalog). [Tagalog]

กรุณาแสดงประโยชน์แก่พนักงานหากคุณต้องการคู่มือการเข้าถึงความช่วยเหลือทางกฎหมายระหว่างการควบคุมตัวก่อนการขึ้นพิ  
จารณาคดีในตามภาษาในเล่มนี้ (ไทย) [Thai]

Bu Yargılama Öncesi Gözaltı Yasal Erişim El Kitabına bu dilde (Türkçe) ihtiyacınız varsa lütfen bir çalışana bu cümleyi gösterin. [Turkish]

Якщо вам потрібно отримати цей "Довідник з прав доступу до юридичних послуг при досудовому утриманні під вартою" на цій мові (на українською) - просимо показати це речення працівнику закладу. [Ukrainian]

اگر آپ کو پری ٹرائل کے مقدمے کے دوران قانونی امداد تک رسائی کے متعلق یہ بینڈ بک اس زبان (اردو) میں چاہیے، تو براہ کرم کسی ملازم کو یہ جملہ دکھائیں۔ [Urdu]

Vui lòng cho nhân viên thấy câu này nếu quý vị cần một bản dịch tiếng Việt của Sổ Hướng dẫn Cách tiếp cận Pháp lý khi bị Tạm giam Trước xét xử này. [Vietnamese]

If you do not speak English, you can request that Unit Team use a professional translation service, the Language Line Services (LLS), to explain important information at the facility.

If you are deaf or hard of hearing, you may request information in writing or Sign Language translation services from your Unit Team.

If you require additional assistance or accommodation to access any of these programs or services because of a disability, you can submit a request for an accommodation to your Unit Team.

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# Legal Visitation



You have the right to meet with your attorney to discuss your case. Any communication between you and your attorney during a legal visit is confidential. “Confidential” means other people should not be able to listen to or hear your conversation. It also means you are not required to tell anyone what you discussed with your attorney.

## In-Person Legal Visits

Your attorney can visit you in person during legal visiting hours as determined at your local facility. If you are housed in a Special Housing Unit, your attorney may need to make an appointment to have a legal visit with you. Your legal visit should take place in a private space so you can have a confidential conversation with your attorney. Bureau employees should be able to see you during legal visits but should not be able to listen to or hear your conversation.

If the private visiting rooms are full, you may have to wait until a room is available or meet with your attorney at another time. Some facilities have attorneys meet with their clients in a common area. However, meeting with your attorney in a common area will make it harder to have a private conversation without anyone listening or hearing. Your attorney will let you know whether this is the best option.

## What are the legal visiting hours?

Legal visiting hours are available seven (7) days a week. Each facility has different hours.<sup>1</sup> In some situations, you may arrange legal visits with your attorney outside of regular hours. This is based on the circumstances of your case and employee availability.

## Non-Attorney Legal Visits

Generally, the Bureau considers non-attorney members of your defense team to be a “legal assistant.” A legal assistant could be:

- an investigator
- a psychologist
- a social worker
- a mitigation expert
- a paralegal
- an intern that is at least 18 years old
- a retained expert witness
- a law clerk

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<sup>1</sup> Legal visiting schedules may differ if you are housed in the Special Housing Unit (SHU) or during emergency situations.



Because these individuals are not licensed attorneys, they must follow separate rules to visit you.

Your attorney will need to fill out a BP-A0243, Application to Enter Institution as Representative (“Representative Form”) to ask for a legal assistant to be approved to visit you. They must do this once a year. If the legal assistant is not a credentialed employee of the Federal Public Defender, they also need to pass a background check once a year.<sup>2</sup> Once the legal assistant is approved, they will have the same status as your attorney for legal visitation.<sup>3</sup>

*For more information on in-person legal visits, see Program Statement 1315.07, Legal Activities, Inmate, Secs. 12 and 15.*

### **Virtual Legal Visits**

Your attorney can ask for a virtual legal visit from the facility based on the circumstances of your case and employee availability. In rare cases, a facility may offer virtual legal visits on a regular basis.

#### **FDC Sheridan Only**

**If you are housed at FDC Sheridan your attorney can schedule a virtual legal visit with the Oregon Federal Defender, who will provide the schedule to the facility.**

#### **MDC Brooklyn Only**

**If you are housed at MDC Brooklyn, your attorney can schedule a virtual legal visit with the Eastern District Federal Defenders Office who will provide the schedule to the facility.**

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## **Communication with Your Attorney**



### **Phone Communication**

There are three ways in which you can talk to your attorney on the phone.

#### **1. Direct Legal Phones on the Pretrial Units**

The ten pretrial detention facilities have a phone on the pretrial units for legal calls. This allows for brief, direct, unmonitored, calls to pre-programmed and verified phone numbers of defense counsel.

#### **Can I make a call on this phone to my attorney?**

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<sup>2</sup> If there is good cause in an individual case, the facility may require re-authorization of the legal assistant more than once a year.

<sup>3</sup> The legal assistant must have an ongoing supervisory relationship with your attorney to receive attorney status for legal visitation and written communication.

- If you have an attorney who works for the Federal Defender, you should be able to make a confidential call on this phone.
- If you have an attorney who is not a Federal Defender employee, you may be able to make a confidential call on this phone. You can ask Unit Team and/or your attorney.

## 2. Legal Calls Scheduled with Unit Team

If you need a longer unmonitored phone call with your attorney, you or your attorney may request that your Unit Team set up an unmonitored call.

These calls will be provided based on the circumstances of your criminal case and employee availability. Frequent or lengthy unmonitored calls with your attorney will only be allowed if you can show that mail, visits, or normal phone calls with your attorney are not enough. For example, if you have an upcoming court deadline or your attorney is a long distance away. You must submit your request for an unmonitored call to your Unit Team on form BP-AO148, Inmate Request to Staff. These requests will be considered on a case-by-case basis.

## 3. TRUFONE Call

You may also request to add your attorney's phone number to your phone list on TRUPHONE. If you call your attorney through this normal telephone, **the call will not be confidential**. It will be recorded. These recordings can be listened to and shared with others in law enforcement, including the prosecutor in your criminal case. These calls typically cost a fee unless they are made collect.

### MDC Brooklyn Only

If you are housed in MDC Brooklyn your attorney can request a scheduled legal call through the Eastern District Federal Defenders office who will give the schedule to the facility.

### MCC Chicago Only

If you are housed in MCC Chicago, your attorney can ask for a legal call with you on a weekday. Each call is limited to 30 minutes. Your attorney must schedule these calls.

### FDC Honolulu Only

If you are housed in FDC Honolulu and your attorney lives outside the Island of Oahu, you can ask your Unit Team for more frequent confidential legal calls with your attorney.

### FDC Sheridan Only

If you are housed in FDC Sheridan your attorney can schedule a legal call with the Oregon Federal Defender, who will provide the schedule to the facility.

*For more information on legal calls, see Program Statement 5264.08, Inmate Telephone Regulations.*

## Email Communication

Ordinarily, you may set up an email account through TRULINCS. You may then add your attorney’s email address to your TRULINCS contact list. When you add your attorney’s email address to your contact list, TRULINCS will send an automatic message to your attorney asking them to either accept or reject future emails from you. Once your attorney accepts, you may begin sending emails to each other.

Emails you send and receive on TRULINCS are **NOT** confidential. This means other people can access and read them.


### **Legal or Special Mail**

Mail that is sent to you from an attorney is considered legal mail. Special Mail Notice, (BP-A0493), is a document that you can use to advise your attorney of the requirements for incoming attorney-client correspondence. You can ask for a copy from Unit Team.

#### **Incoming – mail that is sent from your attorney to you.**

Incoming legal mail must be labeled. The label must include a return address and identify your attorney’s full name and as “Attorney”. Mail that is labeled “Legal Mail – Open only in the presence of the inmate” along with the proper identification will be processed as legal mail. You have the responsibility to inform your attorney about the label requirements. Your attorney must identify themselves as “Attorney”. Writing “Law firm” or “Esq.” is not enough.

#### **Example:**

Attorneys Name “Attorney” Title Full Address City, State, Zip Code	
<b>Legal Mail</b> <b>Open only in the</b> <b>presence of inmate</b>	Full name and register number Institution’s Full address City, State, Zip Code

Legal mail that is not correctly labeled may be processed as general correspondence. This means a Bureau employee may open, inspect, read, and copy mail.


Incoming Special mail includes mail received from the following: President and Vice President of the United States, attorneys, Members of the U.S. Congress, Embassies and Consulates, the U.S. Department of Justice (excluding the Bureau of Prisons but including U.S. Attorneys), other Federal law enforcement officers, State Attorneys General, Prosecuting Attorneys, Governors, U.S. Courts (including U.S. Probation Officers), and State Courts. For incoming correspondence to be processed under the special mail procedures (see §§ 540.18--540.19), the sender’s full name must be clearly identified on the envelope, and the front of the envelope must be marked “Special Mail — Open only in the presence of the inmate”.

When special or legal mail is received, employees will open only in your presence, unless it is reasonably suspected to have contraband in it. Ordinarily, mail will be processed within (24) hours of receipt during the week. Mail is usually not processed on the weekend and holiday.

**Outgoing – mail that is sent by you.**

Legal or Special mail sent to your attorney or the courts must be labeled as “Legal Mail” or “Special Mail” and sealed. Outgoing legal or special mail must be hand delivered to the employee assigned to the housing unit or Unit Team, along with your name, register number, and return address. Legal or Special mail is not tracked unless it is sent via certified mail. You must pay an additional fee for certified mail.

**Example:**

Full Name and Register Number Institution’s Full Address City, State, Zip Code	
Legal Mail	Attorney’s Name Full Address City, State, Zip Code

Outgoing “Special mail” means correspondence sent to the following: President and Vice President of the United States, the U.S. Department of Justice (including the Bureau of Prisons), U.S. Attorneys Offices, Surgeon General, U.S. Public Health Service, Secretary of the Army, Navy, or Air Force, U.S. Courts (including U.S. Probation Officers), Members of the U.S. Congress, Embassies and Consulates, Governors, State Attorneys General, Prosecuting Attorneys, Directors of State Departments of Corrections, State Parole Commissioners, State Legislators, State Courts, State Probation Officers, other Federal and State law enforcement offices, attorneys, and representatives of the news media.

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## Legal Materials



Legal materials include any materials relevant to your legal case, including documents or notes. You are allowed to bring a reasonable amount of legal materials with you to a legal visit if you receive Bureau employee approval.

**Can my attorney bring legal materials?**

Your attorney may bring legal materials into the facility when they visit you. However, you generally cannot take the materials when your visit ends.

There is a legal mail drop off box located in the front lobby/entrance. Attorneys or approved Legal Assistants can drop off legal materials in the box for you before or after your visit.

Make sure your attorney clearly marks the legal materials with:

- their name,
- “Attorney” as their title,
- your name,
- your register number
- return address, and
- this statement: “Special [or Legal] Mail – Open Only in the Presence of the Inmate.”

If your legal materials are not labeled with this information, then it will be treated as general correspondence. Most legal materials should be sent through the mail as legal mail or be placed in a legal mail drop off box at the facility.

Ordinarily, you cannot return from court or a legal visit with additional legal materials at the facilities. If your attorney wishes to provide you with additional legal materials, they must mail them through the legal mail procedure or drop them off in the legal mailbox at the facility.

*For more information, see Program Statement 1315.07, Legal Activities, Inmate and Program Statement 5265.11, Correspondence.*

### **Making Copies of Legal Material**

You may ask the Education Department for help to copy material necessary for your research or legal matters. A copy machine is typically available in the Education Department. The cost of copies will be deducted from your inmate account.

Bureau staff may waive the cost if you need minimal copies or you do not have funds and need a reasonable number of free copies.

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## **Requesting Your Bureau Records**



### **How can I view my pretrial file material?**

You can ask to view your pretrial file material (except your health records) under the supervision of your Case Manager. To get approval, submit form BP-A0148 “Inmate Request to Staff” to Unit Team.

You may also request a copy of a document in your pretrial file material from your Unit Team.

You can always file a Freedom of Information Act (FOIA) to ask for your pretrial material. You do not need to submit a FOIA request for documents in your pretrial file material unless the information you ask

for is non-disclosable. This means that the information requested cannot be shared without a FOIA request. It is possible that it may not be able to be shared with you at all.

### **How can I get a copy of my health records?**

You can ask for a copy of your **health records**.

- For records from your medical file, submit a request to Health Services by submitting an Inmate Request to Staff (BOP for BP-A0148).
- For records from your mental health file, submit a request to Psychology by submitting an Inmate Request to Staff (BOP for BP-A0148).

You may be charged a fee for a copy of your records. Some of your health records may be non-disclosable.

### **What about non-disclosable documents? Or documents that are not in my file?**

If you ask for information in your Bureau record that cannot be given to you, you will be given a copy of the administrative note denying release of that information. You can still ask for those records by sending a FOIA request. The institution will send a copy of the records and the administrative note denying release for the review of your FOIA request.

If you want to request access to other documents that are not in your institutional files, you can also do so by sending a written FOIA request.

You can mail all FOIA requests to:

FOIA/PA Section  
Office of General Counsel, Room 924  
Federal Bureau of Prisons  
320 First Street, N.W.  
Washington, DC 20534

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## **Electronic and Physical Law Library**



While in custody, you can access legal materials. You can also prepare legal documents. Many facilities have a physical law library that includes legal research books, computers for discovery review, educational programming, and the Electronic Law Library (ELL). The Bureau's Central Office maintains material and databases in the ELL.

### **Can I type a document?**

You can use a computer to type and print for legal purposes. You may be able to do this on your pretrial detention unit. You can ask to use a typewriter for legal purposes. However, not all facilities have typewriters. You will need to buy your own typewriter ribbons, correction tape, and typing paper. You can buy these items from the Commissary.

### **Can I do my own legal research?**

You may do your own legal research on the ELL computers. There are ELL computers in Education Department libraries or in leisure rooms. ELL computers are also available on the housing units. There is no charge for using the ELL. There is a fee per page if you print from the ELL. If you need ELL training, you may submit a BP-A0148 “Inmate Request to Staff” to the Education Department.

### **When can I use the Law Library?**

Physical libraries may be on the housing unit or in the Education Department. You can use the law/leisure library on specific days and times based on your housing unit. You can find these days and times posted on unit bulletin boards. You can use the ELL computers on the housing units during out of cell time.

You may request more time for research, document preparation, or discovery review. Submit a BP-A0148 “Inmate Request to Staff” to the Education Department to ask for more time. For example, you may need more time if:

- you have an upcoming court deadline.
- you have a lot of discovery material to review for your case.

Many facilities have debit card-operated copy machines for legal purposes in Education. You can purchase a debit card at the commissary.

If you are indigent, you may be eligible to receive:

- a typing ribbon,
- correction tape, and
- a limited number of copies per law library session for free.

You can ask to be considered “indigent.” To do this, submit a BP-A0148 “Inmate Request to Staff” to the Education Department. The Bureau has its own requirements for who can be considered indigent in custody. If are considered indigent by the Court, that does not mean you will meet the Bureau requirements.

*For more information, see Program Statement 1315.07, Inmate Legal Activities.*



## Discovery Review

During your criminal case you have a right to review and prepare a defense based on the government's evidence. The government usually gives this evidence to your attorney electronically and it is called discovery.

### How can I review my discovery?

There are multiple ways to review your discovery:

- **Physical copies:** If your discovery is a document, your attorney can print and provide a physical copy.
- **Computer:** You may view your discovery on a computer if:
  - it includes so many documents that it is not practical to print them all, or
  - it includes audio, video, or other digital files.

When you have electronic discovery to review and it needs a computer, you can review it with your attorney during a legal visit. You may also be able to review it on your own on a Bureau discovery computer.

### What about discovery under a protective order? Or discovery with sensitive information?

Some discovery may not be appropriate for you to have or view in a common area. This kind of discovery is usually ordered to be protected by the Court, in a legal document called a "protective order". This means that the Court has ordered rules for who can view the discovery and how it may be reviewed or shared with you.

Discovery may also have information that is sensitive. The government, or you, may not want others to access or view sensitive information. This can be true even if the discovery is not under a protective order.

If your discovery is under a protected order or is sensitive, you may need to check it out and view it in a secured area that is not on your unit or only with your attorney.

### Labeling electronic discovery

Depending on the pretrial facility, you may get electronic discovery from your attorney or from the prosecution – the U.S. Attorney's Office. Every facility requires that you label discovery appropriately. Discovery must also follow facility procedures. These procedures usually include a form requesting specific information.

Electronic discovery is generally provided on electronic storage media devices. For example, a USB, external hard drive, or CD/DVD. If the discovery is protected by court order or is sensitive, then it must



be clearly labeled. If you get to keep your discovery in your possession, you may need to sign an “Inmate Acknowledgment” form. This form documents that you received your discovery.

If you are a pro-se defendant, the prosecuting attorney, or the Assistant United States Attorney (AUSA), may send in your discovery to the facility using a similar procedure and will coordinate this process with the facility Legal Department.

### **Discovery computers**

Nearly all pretrial facilities have discovery computers on the housing unit and in the Education department. All pretrial facilities have at least one discovery computer in the Visiting Room.

If you need private space to review your discovery you can ask to do so in the Visiting room or Education Department. You can do this as long as space and Bureau resources permit.

If you have Bureau indigent status you can request headphones for discovery review from the Education Department or your Unit Team.

If you are in the pretrial stage of your criminal case but are not in one of the ten exclusive pretrial Bureau facilities listed above, you should still be able to review discovery. If you do not have access to a discovery computer on your housing unit or in the Education Department, you can ask your Unit Team for help to get access.

### **Electronic discovery review by pretrial facilities**

#### **MDC Brooklyn**

- Once the Legal Department approves, you will get the electronic discovery to have on your housing unit. It must be stored in your personal locker next to your bed when not in use.
- Protected or sensitive e-discovery is only allowed in the Law Library in the Education Department.
- There are protected lockers to store discovery materials. You will get a locker and a combination.
- You may visit the Law Library to review protected or sensitive materials once per week for 90 minutes. If you need more time, you can ask the Education employees and Unit Team.
- In special circumstances, the Court may order that a laptop be provided for discovery review. These laptops are kept in the Visiting Room. You may ask to review your discovery with the laptops on Monday through Friday 8:00 a.m. – 3:00 p.m. in the Visiting Room.

#### **MCC Chicago**

- Once the Legal Department approves, you will get the electronic discovery to have on your housing unit.
- You can only have protected or sensitive electronic discovery in the Education Department. You can check it out from the Education Supervisor.
- You can schedule time to review your protected or sensitive discovery with the Education Supervisor.

### MDC Guaynabo

- Once the Legal Department approves, all electronic discovery will be stored in a cabinet in the Visiting Room. You can request and schedule time to review your discovery with your Unit Team, or the Unit Officer in charge (“OIC”).
- MDC Guaynabo has four (4) Bureau discovery computers. You can use these to review electronic discovery in a secured room within the Visiting Room.

### FDC Honolulu

- Once Unit Team approves, they will give you the electronic discovery to have on your housing unit.
- Protected or sensitive electronic discovery is kept by Unit Team. You can check it out from Unit Team.

### FDC Houston

- Once Unit Team and Computer Services approves, you will get the electronic discovery to have on your housing unit.
- FDC Houston does not have a physical law library to store and view discovery. You can only view protected or sensitive electronic discovery in the Visiting Room with your attorney.

### MDC Los Angeles

- Once the Legal Department approves, Unit Team will give you the electronic discovery to have on your housing unit.
- Your attorney must work with the Legal Department to arrange for you to view protected or sensitive electronic discovery.

### FDC Miami

- Once the Legal Liaison approves, Unit Team will give you the electronic discovery to have on your housing unit.
- Your attorney must work with the Legal Department to arrange for you to view protected or sensitive electronic discovery.

### FDC Philadelphia

- Once the Legal Department approves, Unit Team will give you the electronic discovery to have on your housing unit.
- You must check out and return protected or sensitive electronic discovery from Unit Team.

### MCC San Diego

- Once Unit Team approves, they will give you the electronic discovery to have on your housing unit.
- You can only check out and view protected or sensitive electronic discovery in the Education Department Law library.

### FDC SeaTac

- Once Unit Team approves, they will give you the electronic discovery to have on your housing unit.
- You can only check out and view protected or sensitive electronic discovery in the Education Department Law library.

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## Notary Public



A notary public is a person who is authorized and licensed to certify the identity of a person who fills out or signs a document.

Pretrial facilities generally do not provide notary services.

If you need notary services:

- your Unit Team may provide information on how to find a notary public; or
- your attorney may bring their own notary public to a legal visit as an approved Legal Assistant.

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## Eyeglasses



### Prescription eyeglasses

You can keep your prescription eyeglasses in pretrial detention. If you do not have eyeglasses, but need them to read your legal materials or review discovery, you may:

- request the facility to provide them to you; or
- have a person in the community send you prescription eyeglasses.

You can ask to get prescription eyeglasses from an outside source through the “Authorization to Receive Package” form BP-A0331. This form permits eyeglasses to be sent to the facility and to be provided to you by Health Services. This can be coordinated with your attorney.

### Reading glasses

The Commissary at pretrial facilities have various strength reading glasses that you can buy. If you are indigent, you can ask for reading glasses from the Health Services Departments for free.

### Eye Exam

You can request an eye exam at the facility to see if you need eyeglasses and get a prescription. The Bureau will provide prescription eyeglasses for free.

However, there can be a waitlist to get an eye exam and the glasses. You can ask to get prescription eyeglasses from an outside source using the process described above if you need them sooner.

*For more information, see Program Statement 5800.18, Receiving and Discharge Manual, Sec. 403 and Program Statement 6031.05, Patient Care, Sec. 27.*

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## Reviewing Presentence Reports



After you become convicted or adjudicated to be guilty, either through a trial or a entering a guilty plea, U.S. Probation will prepare a Presentence Report (PSR) for you.

### What's in my PSR?

The PSR:

- provides the Court with a full report about your personal history,
- provides a detailed summary of the offense conduct,
- calculates your United States Sentencing Commission Guidelines range, and
- makes recommendations about the lengthy and type of sentence you should receive.

You have a right to see your PSR to make sure it is accurate and provide relevant information.

### Before Sentencing

If you are a pretrial AIC in Bureau custody who has not yet been sentenced, you may have and review a copy of your PSR. You can review the PSR to prepare for sentencing until the day are sentenced. You can ask Unit Team to keep your PSR for you when you are not actively reviewing the PSR.

### After Sentencing

After you are sentenced, you are prohibited from having a copy of your PSR. All Adults in Custody are prohibited from receiving or having their PSR unless they are in pretrial detention and have not yet been sentenced. The reason you are prohibited from having your PSR is to protect you from being forced to show or give your PSR to others. You must return any copies to your attorney or Unit Team. If you have a copy of your PSR after you are sentenced, you may be subject to disciplinary action.

You can only view your PSR under Bureau employee supervision after you are sentenced.

*For more information see Program Statement 1351.05, CN-1, Release of Information.*

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## Legal Access in Special Housing Unit



If you are in restricted housing in the Special Housing Unit (SHU), you are still entitled to legal access to your attorney and the courts. The way you get legal access may be different than on a general population housing unit.

Every pretrial facility SHU has a Bureau discovery computer and an ELL computer. You may request to use the discovery or ELL computer through a SHU employee. Ordinarily, you are not allowed to use TRULINCS while you are in restricted housing. Generally, legal visits occur in SHU, not in the visitation room. There are no unmonitored direct phonebooths in SHU. You can ask for legal calls through Unit Team using the same process described above in this Handbook.

### **MDC Brooklyn, FDC Philadelphia, or MCC Chicago Only**

**If you are housed in MDC Brooklyn, FDC Philadelphia, or MCC Chicago, make your legal access request to the SHU Lieutenant.**