

TITLE 77 - JAIL STANDARDS BOARD

CHAPTER 11 - STANDARDS FOR COMMUNITY RESIDENTIAL FACILITIES - INMATES' RIGHTS

001 It is the policy of the State of Nebraska that all community residential facilities shall employ policies and procedures which guarantee inmates their right to freedom of expression, freedom to exercise religious beliefs, access to the media, and access to legal representation and legal materials. The facility's written policies and procedures shall provide at a minimum the following:

002 Freedom of Expression. An inmate's right to freedom of expression shall be ensured through the employment of provisions which include at least the following:

002.01 Inmates shall be allowed to write and circulate among other inmates anything which these Standards permit to be mailed or brought into the facility or anything which does not present a threat to facility security and order.

002.02 Unless it presents a threat to facility security and order, inmates shall be permitted to discuss any subject among themselves.

003 Freedom of Religion. The facility administrator shall, to the best of their ability, ensure the right of inmates to practice and express their religious beliefs.

003.01 An inmate's free exercise of religion shall be subject only to those limitations necessary to maintain facility order and security.

004 Access to the Courts. Inmates have access to the courts.

005 Access to Legal Representation. Inmates have access to counsel and confidential contact with attorneys and their authorized representatives. Contact includes, but is not limited to, telephone communications, uncensored correspondence, and visits.

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006 Access to Legal Materials. In community residential facilities, inmates shall have access to or have the opportunity to purchase legal materials and supplies and services related to legal matters. Indigent inmates shall be provided sufficient materials and supplies needed for preparation of legal documents. In addition to other legal research materials purchased or received by inmates, the facility administrator shall insure that inmates have access to at least the following materials:

006.01 A leading law dictionary;

006.02 Current Nebraska Revised Statutes;

006.03 Rules of the United States District Court and the appropriate local district court;

006.04 A list of all legal representatives in the county; and

006.05 These Standards.

007 Access to the Media. In community residential facilities, inmates shall have access to media representatives through personal interviews, telephone interviews, or correspondence.

007.01 Inmates' access to the media shall be subject only to those limitations necessary to maintain facility order and security.

007.02 Inmates' contact with media representatives should be considered confidential.

007.03 Inmates shall not be subject to administrative disciplinary action as a result of their contact with the media.

008 Disabilities. Inmates with disabilities are housed in a manner that provides for their safety and security. Programs and services are accessible to inmates with disabilities that reside in the facility.

EFFECTIVE DATE:
March 28, 2012