

STATE OF UTAH
DEPARTMENT OF CORRECTIONS

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Chapter: **FH02 LIBRARY SERVICES**

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FH02/01.00 GENERAL PROVISIONS

FH02/01.01 Purpose of Chapter

FH02/01.02 Cross Reference

FH02/01.03 Definitions

FH02/02.00 GENERAL LIBRARY SERVICES MANAGEMENT

FH02/02.01 Policy

FH02/02.02 Rationale

FH02/02.03 Procedure: Library Services Responsibilities

FH02/02.04 Procedure: Inmate Access to Library Materials

FH02/02.05 Procedure: Inmate Conduct

FH02/02.06 Procedure: Interlibrary Loan

FH02/02.07 Procedure: Inmate Hiring Practices

FH02/02.08 Procedure: Inmate Library Clerks

FH02/02.09 Procedure: Inmate Payroll

FH02/02.10 Procedure: Grants

FH02/03.00 SECURITY AND CONTROL

FH02/03.01 Policy

FH02/03.02 Rationale

FH02/03.03 Procedure: General Requirements

FH02/03.04 Procedure: Scissors and Tool Control

FH02/03.05 Procedure: Safety and Security

FH02/03.06 Procedure: Library Materials and Inmate Transfers

FH02/04.00 SELECTION OF LIBRARY MATERIALS

FH02/04.01 Policy

FH02/04.02 Rationale

FH02/04.03	Procedure:	Librarian Responsibility in Selection of Materials
FH02/04.04	Procedure:	Purchase Exclusion Consideration
FH02/04.05	Procedure:	Aspects Not Considered in Purchasing
FH02/04.06	Procedure:	Obsolete, Damaged or Disused Materials
FH02/04.07	Procedure:	Censorship
FH02/05.00		DONATIONS
FH02/05.01	Policy	
FH02/05.02	Rationale	Materials
FH02/05.03	Procedure:	General Information
FH02/05.04	Procedure:	Instructions for Donation of Library Materials
FH02/06.00		BLIND AND PHYSICALLY HANDICAPPED SERVICES
FH02/06.01	Policy	
FH02/06.02	Rationale	
FH02/06.03	Procedure:	Special Library Services
FH02/06.04	Procedure:	Procedures to Apply
FH02/06.05	Procedure:	State Library Decision
FH02/06.06	Procedure:	Special Materials and Equipment
FH02/06.07	Procedure:	Property Control
FH02/06.08	Procedure:	Inmate Responsibility

FH02/01.00 GENERAL PROVISIONS

FH02/01.01 Purpose of Chapter

It is the purpose of this chapter to outline the policies and procedures for delivering library services within the Division of Institutional Operations.

FH02/01.02 Cross Reference

FB08 Reporting
FD01 Inmate Discipline Procedures
FD05 Inmate Work Procedures
FD14 Inmate Property
FE13 Search: Cell Shakedown
Library Bill of Rights

FH02/01.03 Definitions

ALA	American Library Association
bibliographic data	computerized catalogs and booklists
collection	a group of library books and other materials assigned to a particular facility library
informal library	a collection of paperback and/or hardback books, without bibliographic data, used to augment the library needs of inmates until they become housed in an area where regular library services are more readily available
Library Services	the Library Director and subordinates responsible for overall coordination of library services
LSTA	Library Services and Technology Act; a federal program administered by the Utah State Library
non-print material	audiovisual equipment and accessories, work globes, and other library materials which do not constitute printed words on paper

print material books, magazines, newspapers, and other paper containing printed words or pictures

Utah State Library a division of the Department of Community and Economic Development which functions as the library authority of the State of Utah, responsible for general library services, extension services, the preservation, distribution and exchange of state publications and other services deemed proper for a state library

FH02/02.00 GENERAL LIBRARY SERVICES MANAGEMENT

FH02/02.01 Policy

It is the policy of DIO that:

- A. an efficient, responsive, and functionally organized library system be developed;
- B. the Library Services Unit provide inmates with access to library services;
- C. a Library Director shall oversee all aspects of the library program;
- D. space should be provided in facilities for the storage and disbursement of library materials;
- E. library services rendered by or through the Utah State Library, or any other agency, are subject to the rules and regulations which govern materials provided by that agency;
- F. the Library Director and subordinates, with the cooperation of other correctional staff, should plan, develop and implement a system for the delivery of library materials to inmates;
- G. Utah State Library personnel routinely inspect the libraries in accordance with grant requirements, and make recommendations concerning library programs; and
- H. the mode of access and frequency of provided library services for individual inmates should be contingent upon their custody level and/or privilege matrix.

FH02/02.02 Rationale

- A. Library services are a privilege offered to inmates.
- B. Standards must be maintained to ensure credibility with the program.

FH02/02.03 Procedure: Library Services Responsibilities

- A. Librarians shall be responsible:

1. to arrange for shelving and other required furnishings to accommodate library materials and their use in facility libraries;
 2. to arrange non-fiction library materials in an orderly fashion according to the Dewey Decimal Classification System and fiction materials by genre, author and title;
 3. to ensure that libraries are illuminated, and a comfortable temperature maintained during the hours of operation and to provide an atmosphere conducive to quiet study and/or contemplation;
 4. in coordination with other correctional staff, to supervise all inmates in their immediate vicinity, and initiate disciplinary procedures when and where appropriate;
 5. for the creation and updating of bibliographic data for library collections;
 6. to ensure libraries are maintained in a reasonably safe, clean and orderly fashion;
 7. to ensure that libraries, wherever possible, are open for inmate access on a daily basis, including selected evening, weekend and holiday hours;
 8. to ensure inappropriate activities such as dice, board and card games, dominoes, sports, and roughhousing are not condoned in the libraries;
 9. to ensure that staff members do not utilize the libraries, or the contents thereof, for any purpose not associated with their facility responsibilities;
 10. to establish informal libraries in areas where security or other concerns prevent inmate access to regular libraries; and
 11. to ensure that all practical means to provide library services for individuals who are physically handicapped have been undertaken.
- B. Collections of law books and related materials are not a formal part of the libraries.

1. Any donated law or related materials are available to inmates only for use inside the libraries.
2. Bibliographic data shall not be maintained for these materials.

FH02/02.04

Procedure: Inmate Access to Library Materials

- A. The librarian shall coordinate with the facility Deputy Warden/designee to determine the hours of operation for libraries.
- B. The times should be posted at or near the entrance of libraries in a conspicuous place.
- C. Inmates may be allowed to borrow, and have in their possession, up to five regular library books (paperbacks included), three library magazines and two CD's. This must follow the guidelines of the Inmate Personal Property Matrix as set forth in FDr14/12.00.
- D. Inmates shall be required to present their inmate ID card to verify their name and number for library records on each library book that is checked out of the library.
- E. Inmates are responsible for the proper care and timely return of all library materials entrusted to them, and may have disciplinary action taken for any book that is not returned by the due date.
- F. Reimbursement for replacement value from inmates for lost or damaged materials shall be initiated by the librarian through a disciplinary report, or through the delivery of a signed money transfer, made payable to the library. (Money transfers will be forwarded to the Inmate Accounting Office.)
- F. Materials which the librarian deems inappropriate for circulation, and marked "FOR REFERENCE ONLY," shall not be loaned to inmates, but shall be used inside the library.
- G. Inmates shall be assigned to a library by virtue of their housing assignment.

1. Use of a library by an inmate assigned to another shall constitute grounds for disciplinary action; and
 2. exceptions may be made for inmates with special needs who obtain prior written consent from their Deputy Warden/designee and the librarian.
- H. All library materials shall be marked with the name of the library in which they belong.
- I. Inmates with a classification level of I or II shall procure library materials by obtaining a library request form from their housing unit supervisor, and following the directions.
- J. Any library materials not returned by the inmate will be confiscated by the officer conducting the pre-release or pre-transfer shakedown. The officer should notify library staff so the materials can be retrieved and returned to the library.
- K. Disciplinary action may be taken against an inmate who possesses overdue or unauthorized library materials.

FH02/02.05

Procedure: Inmate Conduct

- A. DIO rules and regulations concerning contraband and inmate behavior shall be enforced in the libraries in addition to the following:
1. games of any kind, including dice, board games, chess, checkers, dominoes, etc. shall not be used or undertaken while inmates are in the library;
 2. sports and roughhousing, running, jumping, yelling, loud talking and/or laughing, and singing shall not be allowed in the library;
 3. inmates shall remain dressed in prescribed facility clothing at all times in the library; shoes must be worn; shower shoes are not acceptable;
 4. hairdressing, barbering, massaging and/or sexual misconduct shall not be allowed in the library; and
 5. chairs, tables or furniture of any kind, equipment, such as typewriters, computers and

world globes, which are assigned to a library shall not be removed from the library without the approval of the librarian.

- B. Information concerning how to check out a book, or other aspects of library functions should be available to inmates through an inmate handbook, or by verbal communication with a librarian.
- C. Loaning of library materials between inmates shall not be allowed.

FH02/02.06

Procedure: Interlibrary Loan

- A. Inmates may request a book through the Interlibrary Loan Service of the Utah State Library by:
 - 1. informing the librarian of a desire to request a book; and
 - 2. providing their name, USP number, housing unit, the title of the book and author, or the subject area, and signature on the appropriate form.
- B. An inmate may request up to three books at a time through the Interlibrary Loan Program, but only one will be issued.
- C. Books obtained through Interlibrary Loan shall be counted among the five library books that inmates may have in their possession at one time.
- D. Interlibrary Loan books shall be returned to the facility library on or before the latest due date stamped on the circulation pocket located inside the book.
- E. Interlibrary Loan requests shall not be honored if the:
 - 1. book is not in the State Library collection;
 - 2. book is in the inmate's assigned library; or
 - 3. librarian deems the book a security or safety risk.
- F. Interlibrary Loan is a privilege, not a right, and may be denied without cause.

FH02/03.04

- G. Inmates initiating Interlibrary Loan requests shall be responsible for paying any associated fees prior to having their requests honored.
- H. Interlibrary Loans shall not be available to inmates with classifications level I or II.

FH02/02.07 Procedure: Inmate Hiring Practices

- A. The librarian shall hire inmates according to the policy set forth by FDr05 "Inmate Work Procedures".
- B. Inmates can be terminated without cause from their employment by the librarian.

FH02/02.08 Procedure: Inmate Library Clerks

- A. Inmate clerks shall come to work dressed in prescribed facility clothing.
- B. Inmate clerks shall wear shoes at all times.
- C. The inmate clerks shall maintain an acceptable personal hygiene.
- D. Inmate clerks shall remain fully dressed while in the library.
- E. When inmate clerks have a visit, etc., and cannot work as scheduled, they shall:
 - 1. arrange for another inmate employed in the library to work for them; or
 - 2. close the library.
- F. Inmate volunteers shall not be allowed to work in the library without prior approval from the librarian.
- G. Inmate clerks shall be required to do any job assignment the librarian deems necessary.

FH02/02.09 Procedure: Inmate Payroll

The librarian shall be responsible for compiling and submitting all payroll documentation for inmate library clerks.

FH02/02.10 Procedure: Grants

- A. The librarian shall make applications for LSTA Grant monies through the Library Services Unit.
- B. The Library Services Unit shall comply with any terms and conditions set forth by the State Library concerning the use of LSTA funds, or the accounting thereof.
- C. Materials purchased with LSTA funds shall be used in connection with library programs only, and any disposal of these items shall be facilitated through the Library Services Unit and the Utah State Library.
- D. Other sources of funding may also be considered and shall be applied for and processed through the Library Services Unit.

FH02/03.00 SECURITY AND CONTROL

FH02/03.01 Policy

It is the policy of the DIO that general guidelines and specific procedures shall be established to ensure security is maintained in the library areas.

FH02/03.02 Rationale

Establishing procedures that maintain security are consistent with the Department's interest in ensuring that staff and inmates are protected.

FH02/03.03 Procedure: General Requirements

- A. Proper security and control in the facility libraries shall be enforced.
- B. As Corrections Officers, librarians shall give their full attention to their responsibilities for security and control of the inmates utilizing the libraries.

FH02/03.04 Procedure: Scissors and Tool Control

All scissors and tools shall be stored in a locked cabinet; only the librarian and security personnel shall have key access.

FH02/03.05 Procedure: Safety and Security

- A. Librarians shall arrange library materials and furnishings, within each library, in a manner conducive to health, fire, and safety and security standards.
- B. Librarians shall practice safe work habits and, in the performance of their duties, teach these practices to the inmate work force.
- C. It shall be the responsibility of librarians to make periodic safety checks of the libraries, and follow through with written and verbal communication until all safety problems have been addressed by the appropriate personnel.

- A. Officers conducting shakedowns of inmates being released from facilities or transferred between facilities shall confiscate any library materials. The officer shall retrieve the materials and return them to the library (see FDr14/02.07.)
- B. During random shakedowns officers shall inspect all library materials and confiscate any items which are overdue, appear to have been altered, or damaged, or if there are more than five library books per inmate.
- C. Disciplinary action may be taken against an inmate who possesses overdue or unauthorized library materials.

FH02/04.00 SELECTION OF LIBRARY MATERIALS

FH02/04.01 Policy

It is the policy of the DIO that the Library Services Unit shall:

- A. maintain a written selection policy for library materials; reviewing and revising the selection annually, if necessary; and
- B. be responsible to select and facilitate the purchase of printed and non-printed materials for the facility libraries in accordance with written selection criteria.

FH02/04.02 Rationale

A written selection policy will help the Library Services Unit to build each collection properly and will prevent the acquisition of materials that are inappropriate.

FH02/04.03 Procedure: Librarian Responsibility In Selection Of Materials

Librarians shall be responsible for the selection of library materials, using professional resources, knowledge, and judgment.

- A. Libraries shall contain materials to assist inmates in their informational, educational, therapeutic, and leisure time endeavors.
- B. Recommendations about the purchase of materials may be accepted from inmates as well as correctional staff.
- C. Books and other materials shall be selected on the basis of their content as a whole.

FH02/04.04 Procedure: Purchase Exclusion Consideration

Library materials may be excluded from purchase consideration for one or more of the following reasons:

- A. the subject matter incites hatred or intolerance;

- B. the item contains information about explosives, lock picking, or other subject matter which undermines the goals and objectives of the DIO, or is a breach of security or could create a management and control problem;
- C. information contained is obsolete;
- D. the cost of the item is not consistent with other items of similar type and subject matter;
- E. material presented is not suitable for a prison community;
- F. the construction, format, or writing is of poor quality;
- G. subject matter has been sensationalized; and
- H. the material is too limited or specialized in nature.

FH02/04.05

Procedure: Aspects Not Considered In Purchasing

The following aspects shall not be considered when purchasing library materials:

- A. race, nationality, or political persuasion of the author or authors;
- B. personal history or religious beliefs of the author or authors; and
- C. frankness of expression about honest aspects of life.

FH02/04.06

Procedure: Obsolete, Damaged, or Unused Materials

- A. Librarians may discard materials contained in library collections when they:
 - 1. no longer add to the value of the collection as a whole;
 - 2. are obsolete; or
 - 3. are damaged beyond repair.
- B. When materials are discarded from a library, all relevant bibliographic data shall also be removed and discarded.

- C. All discarded library materials shall be removed from within the institution and disposed of in a manner to insure this material does not reenter the institution.

FH02/04.07

Procedure: Censorship

- A. In the event that a book, group of books, magazines, etc. are challenged by inmates, staff, or individuals from the community for such issues as profanity, sexual content, disturbing the order and security of the facility, etc., the following procedure shall be initiated.
 - 1. The person making the challenge shall have read the material in question, in its entirety.
 - 2. A written statement giving specific reasons as to why the material should be removed from the library shall be submitted to the librarian.
 - 3. If the individual fails to do the above, no complaint shall exist.
- B. Upon receiving the written statement, the librarian shall initiate the following procedure.
 - 1. A board of inquiry, consisting of the librarian, the Director of Program Services/designee, and the Deputy Warden/designee from the facility in which the challenge originates, shall meet to hear the complaint.
 - 2. The challenging individual may or may not be invited to attend, at the discretion of the board.
 - 3. Each board member shall read the material in its entirety, as well as the written complaint.
 - 4. The board shall then vote as to whether the material should be retained or removed from the library.
 - 5. In the event that at least two members of the board vote for removal, the material shall be removed.

FH02/05.00 DONATIONS

FH02/05.01 Policy

It is the policy of the DIO that donations to the library be accepted at the discretion of the Library Services Unit.

FH02/05.02 Rationale

A donation policy will provide a way for inmates, staff and the public to donate materials that are desirable and meaningful to the Library Services Unit.

FH02/05.03 Procedure: General Information

A. The Library Services Unit may accept donated library materials from the following sources:

Source I: Individuals, groups and associations in the community whose philosophical views do not represent a risk to DIO management, security or control;

Source II: Employees of the Department of Corrections; and

Source III: Inmates of the institution.

B. Donations may be refused without cause.

C. Donations with stipulations as to how or where the material shall be used shall not be accepted.

D. The Library Services Unit shall reserve the right to refuse, discard, or otherwise dispose of any donated item or material it deems inappropriate for use in facility libraries.

E. Librarians shall acknowledge the receipt of donated materials, through written correspondence via the U.S. Postal System, upon request of donors in sources I and II.

F. No estimate on the monetary value of donations shall be issued by librarians.

G. All donations shall be closely examined by librarians for the concealment of contraband.

FH02/05.04 Procedure: Instruction For Donations Of Library Materials

A. Public Donations (Sources I & II)

1. Those desiring to donate shall make contact with the librarian/designee who shall indicate the method of delivery, if the donation is to be accepted.
2. The librarian/designee shall be responsible to initiate any necessary clearances to ensure that donated materials are properly received.

B. Inmate Donations

Inmate donations shall be personally delivered directly to a librarian, and must be accompanied by a property receipt to verify ownership of the material.

1. Donations shall not be accepted without property receipts which verify that the property belongs to the person attempting to donate it.
2. Material which has, or which appears to have had, any ownership markings altered shall be confiscated and an incident report prepared (see FB 08, "Reporting.")
3. The following procedure shall be utilized whenever inmates donate books or other materials to the Library Services Unit:
 - a. Librarians shall create a memorandum, addressed to the property control department, containing the following information:
 - (1) date of donation;
 - (2) name and number of the inmate;
 - (3) name, title, or other description of the property being donated;
 - (4) a request to have the property removed from the inmate's property list;
 - (5) librarian's signature; and
 - (6) inmate's signature;
 - b. one copy of the memorandum shall be sent to the Property Unit by the librarian;

- c. all property receipts received from the inmate shall be returned; and
- d. when all of the above steps are completed, the property in question shall be considered the property of the state, and utilized in accordance with policies and procedures concerning library materials.

FH02/06.00 BLIND AND PHYSICALLY HANDICAPPED SERVICES

FH02/06.01 Policy

It is the policy of the DIO that special library services may be reasonably provided to inmates who qualify as being blind or physically handicapped.

FH02/06.02 Rationale

In order to offer library opportunities to blind or physically handicapped inmates, reasonable accommodations may need to be applied.

FH02/06.03 Procedure: Special Library Services

The Utah State Library, through the U.S. Library of Congress, may provide special library services for individuals who qualify as blind or physically handicapped, and who could not otherwise utilize a regular library.

FH02/06.04 Procedure: Procedures To Apply

Inmates shall apply for these services through the following procedures:

- A. obtain documented proof of handicap from the Bureau of Medical Services;
- B. request an application from librarians, in person or through the interdepartmental mail system; and
- C. mail a completed application and documented proof of handicap to the Utah State Library.

FH02/06.05 Procedure: State Library Decision

The State Library's decision as to whether an inmate's application is granted or denied shall be final.

FH02/06.06 Procedure: Special Materials and Equipment

Inmates who qualify for these services may be allowed to have in their possession certain library materials and equipment, furnished by the Utah State Library, which shall remain the property of the Library of Congress.

- A. Such materials will not be engraved or permanently marked by the Property Unit.

- B. Inmates may be allowed to have these materials in addition to their regular property allowances:
1. 1 cassette tape player;
 2. 1 CD player;
 3. 1 radio;
 4. 1 pair of headphones;
 5. 5 books recorded on cassette tapes (not to exceed 40 tapes); and
 6. 10 magazines recorded on discs (not to exceed 15 discs); or
 7. large print books and magazines (not to exceed the equivalent of 5 books and 10 magazines).

FH02/06.07 Procedure: Property Control

The Property Unit shall monitor and maintain a list of materials currently in possession of each inmate who receives this service.

FH02/06.08 Procedure: Inmate Responsibility

Inmates shall be responsible for the care of all such materials entrusted to them, and shall reimburse the State Library, upon request, for lost or damaged items.

- A. Inmates who receive these materials shall not loan them to any others.
- B. Inmates shall receive and return materials during regular property call.