 <p style="text-align: center;">DIVISION OF ADULT INSTITUTIONS</p> <p style="text-align: center;">POLICY AND PROCEDURES</p>	DAI Policy #: 309.15.01	Page 1 of 8
	Original Effective Date: 04/01/93	New Effective Date: 01/06/20
	Supersedes: 309.15.01	Dated: 11/15/15
	Administrator's Approval: Makda Fessahaye, Administrator	
Required Posting or Restricted:		
<input checked="" type="checkbox"/> Inmate <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted		
Chapter: 309 Resources for Inmates		
Subject: Law Library		
Guidance Document	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Posting date 12/23/19

POLICY

The Division of Adult Institutions shall ensure inmates are afforded meaningful access to the courts, judicial process, legal services and legal materials by providing an adequate law library consistent with the Wisconsin Administrative Code.

REFERENCES

Wisconsin Statutes s. 809.19 – Rule (Briefs and appendix)

Wisconsin Administrative Code s. DOC 303.70 – Minor Penalties

Wisconsin Administrative Code s. DOC 303.72 – Major Penalties and Schedule of Penalties

Wisconsin Administrative Code s. DOC 309.51(2)(a) – Funds for Legal Correspondence and Copying

Wisconsin Administrative Code s. DOC 309.155 – Legal Services

DAI Policy 300.00.35 – Americans with Disabilities Act

DAI Policy 300.00.56 – Notary Services to Inmates

DAI Policy 309.51.01 – Legal Loans

Attachment A – Legal Research Collection

Attachment B – Legal Forms Resources

DEFINITIONS, ACRONYMS AND FORMS

DAI – Division of Adult Institutions

DOC – Department of Corrections

DOC-184 – Disbursement Request

DOC-1008 – Area Pass Log

DOC-2757 – Library Attendance Log

Electronic Inmate Law Library System (EILLS) – Web-based legal research system customized for the Wisconsin DOC by a state contracted vendor.

Law Library – Designated location(s) within the facility where access to legal materials, information and resources is provided in print and/or electronic format.

MSDF – Milwaukee Secure Detention Facility

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USPS – United States Postal Service

PROCEDURE

I. Law Library Services

- A. Technical assistance for the use of the DOC provided legal materials shall be available.
- B. Legal advice shall not be provided to inmates by staff or inmate library workers.
- C. Fee-based photocopying and computer printing of legal documents shall be provided.
 1. Photocopying and printing of legal documents shall be provided at a cost consistent with Wisconsin Administrative Code s. DOC 309.51(2)(a).
 2. All requests for photocopying and printing of legal documents shall be accompanied by a completed DOC-184.
 3. Printing or photocopying of legal research materials shall be limited to one set of requested documents per inmate unless a need for multiple sets can be verified.
 4. Inmates requesting documents printed from EILLS shall note the identifying information (i.e., name and citation) of the item(s) on the DOC-184.
 5. Legal loan photocopies and computer printouts shall be provided in accordance with DAI Policy 309.51.01.
- D. Notary services may be provided in accordance with DAI Policy 300.00.56.
- E. Electronic filing (e-filing) services for court documents may be provided in accordance with a facility's agreement with specific court(s).

II. Law Library Materials

- A. Facilities shall provide a law library with a required core collection of legal information and resources as noted in Attachment A.
 1. Access to the majority of legal resources shall be provided using EILLS.
 2. Individual libraries may supplement the legal core collection with other legal resources.
- B. Facilities shall provide current legal forms from the resources noted in Attachment B when requested by inmates.
 1. Costs for copies of legal forms shall be charged as consistent with Section I.C. of this policy.
 2. Inmates are responsible for identifying the legal forms they are requesting by noting the form name and the form number on the DOC-184.
 3. No more than the required number of forms shall be provided.
 4. When an inmate requests a copy of a legal form, it shall be obtained from the websites noted in Attachment B of this DAI policy.

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5. Inmates may correspond directly with the court to request legal forms at their own expense.
- C. Facilities shall provide colored paper for use as appellate brief covers as required.
1. Blue, red and gray colored paper shall be made available.
 2. In accordance with appellate court rule:
 - a. Only the color of paper required at the time requested shall be provided.
 - b. No more than the required number of sheets of colored paper shall be provided.
 3. Costs for colored paper provided for brief covers shall be charged as consistent with Section I.C. of this policy.
 4. Inmates are responsible for verifying their need of appellate brief covers (e.g., by presenting their appellate court briefing order/schedule).

III. Access to Law Library

- A. Facilities shall:
1. Specify the frequency and duration of law library access using the criteria below for scheduling access.
 - a. Date of request.
 - b. Existence of court deadline(s).
 - c. Need for equitable access for all inmates.
 - d. Number of available EILLS computers.
 - e. Number of access requests from inmates.
 2. Ensure the law library is available for a reasonable number of hours to allow inmates time for research to meet court deadlines.
- B. Maintain records of individual inmate use of the law library using either a DOC-1008 or DOC-2757.
- C. Inmates participating in the Challenge Incarceration waive their rights to law library access under Wisconsin Administrative Code s. DOC 309.155 and DOC 309.51.
- D. Reasonable accommodations shall be made for inmates with documented disabilities in accordance with DAI Policy 300.00.35.

IV. Law Library Staffing

- A. Facilities shall have at least one librarian/designee who is responsible for the supervision of the law library.
- B. Facilities, with the exception of minimum security centers and MSDF, shall provide inmate library workers to assist inmates in using the legal research resources. Legal advice shall not be given.

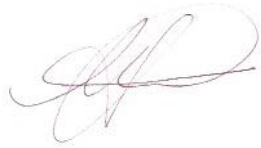
V. Law Library Space

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- A. Facilities shall provide space for EILLS workstations and other legal materials and resources. Typewriters and/or word processing equipment may be provided.
- B. EILLS workstations and other legal resources shall be provided in Restrictive Housing units with staff supervision.

VI. Inmate-to-Inmate Legal Assistance and Routing of Legal Mail

- A. Facilities shall develop a procedure to regulate how inmates may assist each other with legal work per Wisconsin Administrative Code s. DOC 309.155.
- B. Inmates are not allowed to store other inmate's legal work on storage device.
- C. Inmate-to-inmate legal mail shall not be routed via intra-facility mail.
- D. Inmates shall be required to utilize the USPS to correspond and share documents with other inmates.
- E. Inmates shall retain all envelopes associated with any legal correspondence sent to them from other inmates.



Administrator's Approval: _____ **Date Signed:** 12/20/19
Makda Fessahaye, Administrator

DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES

Facility: Prairie du Chien Correctional Institution		
Original Effective Date: 04/01/93	DAI Policy Number: 309.15.01	Page 5 of 8
New Effective Date: 08/13/20	Supersedes Number: 309.15.01	Dated: 02/18/16
Chapter: 309 Resources for Inmates		
Subject: Law Library		
Will Implement <input type="checkbox"/> As written <input checked="" type="checkbox"/> With below procedures for facility implementation		
Warden's/Center Superintendent's Approval: Warden Peter J. Jaeger		

REFERENCES

PDCI 309.15.01 Attachment - Computer Usage Rules

PDCI 900.821.00 Institution Library

DEFINITIONS, ACRONYMS, AND FORMS

DOC-184 - Disbursement Request

DOC-761 – Inmate Interview / Information Request

ELTL – Extra Legal Time List

PDCI – Prairie du Chien Correctional Institution

VUNA – Voluntary Unassigned

FACILITY PROCEDURE**I. General Library Rules**

- A. Inmates using the PDCI Law Library are subject to the same criteria listed in the PDCI Library procedure 900.812.00.
- B. General Population inmates wishing to sign-up for Law Library usage must come to the Library. If there is space, inmates may use the Law Library upon their initial visit.
- C. Inmates may use the Law Library during their unit scheduled time. Unit scheduled library times are posted on the units and outside the Library door.
- D. Inmates who are helping one another on legal matters will not be issued cross-unit passes. Legal consultation on a person-to-person basis must be pursued between parties with identical library time scheduled. Otherwise joint legal endeavors must be transacted via the United States Postal Service. If circumstances warrant it, the Education Director may approve exceptions.
- E. If the Librarian is absent for an extended period of time and an inmate needs to use the law library, the inmate should submit a DOC-761 to the Education Director.
 1. The Education Director will arrange a time for the inmate to use the law library.

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2. When there are time constraints based on pending cases, the inmate may have the unit officer contact the Education Director by telephone to expedite access to the Law Library.
- F. PDCI Computer Usage Rules are to be observed while using the computers, kiosk, or other devices.
 - G. The PDCI staff may recall books, legal materials, and other items checked out or removed from the Library at any time.
 - H. On or about two weeks before an inmate is due to leave PDCI, PDCI staff will recall all books, legal materials and other items checked out from the Library by the inmate.
 - I. PDCI may suspend any or all inmate library services at any time. PDCI shall not suspend Law Library services for extended periods of time, including Restrictive Housing. If usage is high, inmates may have to share resources.
 - J. Unit Scheduled Times will address the times workers and VUNA status inmates may come to the library and will be posted on the units and outside the Library door. Officers shall notify library staff of VUNA inmates coming to the library.
- II. Inmates with Legal Deadline or Date**
- A. Inmates with a fixed legal deadline will be given priority over inmates with no such fixed legal deadline. Inmates who have a fixed legal deadline may apply for additional library time.
 - B. Inmates should not apply for extra legal time more than thirty days prior to their deadline, nor should they apply if they have not utilized all the library time regularly available to them.
 - C. The inmate shall provide the Education Director with written documentation indicating a scheduled court date/deadline.
 - D. The Education Director may grant extra time as appropriate - up to five hours per week for a maximum of thirty days.
 1. An inmate may schedule 1 period of extra-legal time per day in addition to his regularly scheduled unit library time.
 2. An inmate may not have more than a total of 10 periods of library time (unit scheduled time and legal time combined) per week.
 - E. Once the Education Director has approved an inmate's additional legal time, the Librarian will place the inmate on the ELTL.
 1. An inmate on the ELTL will have priority over other inmates.

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2. Inmates on the ELTL may only attend library during scheduled library hours.
- F. Inmates on approved extra law time not pursuing stated legal ends, will be warned about inappropriate activity. If such activity continues, the inmate's name may be removed from the ELTL. The Education Director will be advised of such action.
- III. Restrictive Housing Law Library Schedule**
- A. Restrictive Housing inmates must inform staff of their need to use the EILLS. Restrictive Housing policies will determine when inmates may use the EILLS.
 - B. Inmates may contact the Librarian in writing if they have questions about access to the EILLS in Restrictive Housing.
- IV. Copies**
- A. Documents containing misinformation which serves to deceive, misinform, or misrepresent an inmate, the legal system, PDCI Staff, etc. will not be copied. (For example: American Sovereign; Sovereign Citizen materials.)
 - B. Pornography and/or derogatory writing or pictures will not be photocopied.
 - C. PDCI Staff may inspect and/or scan anything, including legal materials, which is to be or has already been copied.
 - D. Inmates who attempt to photocopy another inmate's property are in violation of DOC 303.40 Unauthorized transfer of property and DOC 303.47 Possession of Contraband – Miscellaneous.
 - E. The Business Office will determine how all legal loan copies shall be provided to the inmate.
 - F. Restrictive Housing inmates may only copy legal materials. A note of explanation, along with the legal materials to be copied and a DOC-184 should be filled out and sent to the librarian.
 - G. No copies will be made 9th Hour (3:05 – 3:50).

RESPONSIBILITY

- I. **Staff**
 - A. Staff will have the same responsibilities as listed in the Prairie du Chien Institution Library Policy 900.812.00.
 - B. As necessary, PDCI staff shall inspect and/or scan documents, including legal documents, which inmates produce, bring into or have in the library.

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II. Inmate

- A. Inmates using Law Library have the same responsibilities described in PDCI 900.812.00.

- B. If there is a conflict with school or work, the inmate must receive prior approval from his assigned supervisor/instructor before coming to use the Law Library. If possible, the inmate shall schedule his extra legal time at a time when he isn't engaged in an assignment.

III. Other

- A. In the absence of the Librarian, the following staff will provide access to the law library in order of priority.
 - 1. Teacher Scheduler
 - 2. Education Director
 - 3. Captain on duty arrange for security staff member.

- B. In situations where absences are temporary and of short duration, the priority shall be for inmates who have pending court cases. Inmates can request access to the law library in these situations by having unit officers contact the appropriate backup staff as listed above.