

Kaohsiung Women's Prison

Inmate Living Handbook

Introduction

The compilation of this “Inmate Living Handbook” of prison regulations is based on relevant provisions from the fundamental rules of the **Code of Criminal Procedure**, the **Law of Execution in Prison**, the **Detention Act**, the **Statute of Progressive Execution of Penalty** and the **Statute of Open Prisons**. We hope this handbook will help inmates understand the organization and administration of prison facilities, as well as the obligation to obey and the rights you may obtain. Finally, the handbook aims to give inmates a positive viewpoint and adequate knowledge of how the prison term will be executed.

During imprisonment, inmates must come to terms with various useful educations and instructions in order to develop an ethic that every national can embrace; this moral education will help inmates improve before returning to society. Further, the prison encourages inmates to enlarge practical knowledge and skills. At the same time, the prison will provide proper care for the inmate's life and health according to Taiwan's laws. Therefore, each inmate must comply with the prison's provisions for being a well-behaved, self-educated person. Upon his/her return to society, we hope you will become a better, more productive citizen.

Prison is the facility where the sentence is enforced and provides a secure environment for all inmates' rehabilitation. Correctional and medical staff will provide the guidance and care that inmates need. Therefore inmates must demonstrate respect for all the staff.

In order to create positive reeducation in a disciplined ambience filled with warmth and joy, peer inmates must treat

each other peacefully and with respect. Co-operative relationships are absolutely essential.

If any inmate fails to understand or has any doubts about the details of this handbook, please don't hesitate to report to the correctional staff for further explanations; we believe your questions will be answered in detail.

Chapter One

Admission and abiding regulations

Most inmates have a feeling of disorientation when stepping into the prison; everyone experiences this. Thus, please ease your mind; if you simply follow the instructions, you will be able to adjust very quickly and fit in more easily.

1. Admission Procedures

- (1)The admittance procedure starts with a physical examination, fingerprinting and photograph filing; each inmate is assigned an I.D. number and informed about the commencement and completion of the prison terms.
- (2)The inmate's body, personal clothes and articles should be inspected.
- (3)Personal money and articles brought in by inmates except those necessary and permitted in the prison facility must be handed over for safekeeping. Valuable articles should be placed into a paper bag in front of each inmate, and a fingerprint is required for security. Money kept for inmates may be used for expenditure, or withdrawn by the inmate's family members through application.
- (4)Personal money must be handed over for safekeeping; otherwise, once it is seized by the correctional staff, it will be confiscated and turned over to the state treasury. Punishment will be issued for violation of this rule.
- (5)An imprisonment orientation class will be presented by the correctional staff regarding the environment, rights during incarceration and regulations. Inmates should keep the

information well in mind.

2. Abiding Regulations

- (1) Inmates must show repentance and strive to make progress; any behavior damaging to the state's interests or dishonoring to the organization is not allowed.
- (2) Inmates must practice discipline; any behavior that violates the law or that jeopardizes the prison's order is not allowed.
- (3) Inmates must live together in peace; any behavior of gang formation or bullying is not allowed.
- (4) Inmates must be well-behaved; any behavior of quarreling, fighting, escaping or raping is not allowed.
- (5) Inmates must have a positive living attitude; any behavior of drinking, gambling, tattooing or drug taking is not allowed.
- (6) Inmates must treasure public property; any behavior that is filthy, damaging, wasteful or vain is not allowed.
- (7) Inmates must submit to be searched by security personnel; any possession and hiding of contrabands or passing messages to other workshops is not allowed.
- (8) Inmates must keep their living environment tidy at all times; any damaging behavior or graffiti is not allowed.
- (9) Inmates must respect correctional staff; any disrespectful behavior is not allowed.
- (10) Other abiding regulations.

Chapter Two

Enforcement of investigation classification and psychological assessment

For the purpose of discipline and labor standards, it is important for prison authorities to be acquainted with the inmate's personality, status of mind and body, abilities, social background, educational level, profession, religion, interests and hobbies, as well as the cause behind his/her crime. Therefore, inmates must undergo various check ups and psychological assessment.

1. Investigation and classification procedures:

- (1)The "inmate living handbook" will be distributed during orientation class for new arrivals. Prison staff will explain the details.
- (2)Initial investigation and classification
 - a. Direct investigation: by way of face to face interview and direct observation.
 - b. Indirect investigation: by a letter correspondence with parent, spouse, kinsfolk and residential police station.
 - c. Psychological assessment: by a questionnaire about intelligence, personality, profession, etc..

(3)Reporting of investigation and classification

Based on the information obtained from the initial investigation, an acceptance panel will be convened to write an investigation and classification report; then a treatment program will be submitted to Investigation Classification Committee for evaluation and implementation.

Chapter Three

Grading and progressive treatment

1. Grading term

All convicted criminals whose sentence or combined sentence is 6 months or more should be graded accordingly; others need not be graded.

2. Grading regulation

According to the regulations of the **Statute of Progressive Execution of Penalty**, the progressive treatment of inmates is divided into 4 different grades, starting from the 4th, 3rd, 2nd and up to the 1st.

3. Terms of up-grading to 3rd grade

If the inmate's detention condition meets the following terms before prison admission, and after approval by the Prison Affairs Committee, a request for up-grading should be submitted to the Ministry of Justice for approval.

- (1) Up-grading to 3rd grade is limited to inmates that are not yet graded.
- (2) The conditions of the detention span must meet the following terms:
 - a. If the convict was sentenced to between 3 years and 30 years, he/she qualifies for up-grading if the detention span is more than 1/6 of the convicted sentence.
 - b. If the convict was sentenced to 30 years or more, he/she qualifies for up-grading if the detention span is 5 years or more. Any convict whose sentence or combined sentence is less than 3 years, should be disqualified.
- (3) Standards of responsibility sense and communal living

- a. The convict must obtain a personality assessment of B level or up during detention according to the following terms: First offenders and ex-convicts who have not committed any crime within 5 years must achieve a B level assessment for at least 50% of the total months of their detention. Recidivist convicts must achieve a B level assessment for at least 66% of the total months of their detention.
- b. The convicts must be self-disciplined and well-behaved without any violation record.

4. Sentencing category and responsibility points for each grade.

(1) Adult inmates' responsibility points are as follows:

**Progressive treatment responsibility points of the law applied in
2006.07.01 (Form 1)**

type	sentence	responsibility points			
		4th	3rd	2nd	1st
1	6 months or more, less than 1 yr. and 6 months	18	24	30	36
		24	32	40	48
		27	36	45	54
		12	16	20	24
2	1 yr. and 6 months or more, less than 3 yr.	24	36	48	60
		32	48	64	80
		36	54	72	90
		16	24	32	40
3	3 yr. or more, less than 6 yr.	36	72	108	144
		48	96	144	192
		54	108	162	216
		24	48	72	96
4	6 yr. or more, less than 9 yr.	72	108	144	180
		96	144	192	240
		108	162	216	270
		48	72	96	120
5	9 yr. or more, less than 12 yr.	108	144	180	216
		144	192	240	288
		162	216	270	324
		72	96	120	144
6	12 yr. or more, less than 15 yr.	144	180	216	252
		192	240	288	336
		216	270	324	378
		96	120	144	168
7	15 yr. or more, less than 18 yr.	180	216	252	288
		240	288	336	384
		270	324	378	432
		120	144	168	192
8	18 yr. or more, less than 21 yr.	216	252	288	324
		288	336	384	432
		324	378	432	486
		144	168	192	216

type	sentence	responsibility points			
		4th	3rd	2nd	1st
9	21 yr. or more, less than 24 yr.	252	288	324	360
		336	384	432	480
		378	432	486	540
		168	192	216	240
10	24 yr. or more, less than 27 yr.	288	324	360	396
		384	432	480	528
		432	486	540	594
		192	216	240	264
11	27 yr. or more, less than 30 yr.	324	360	396	432
		432	480	528	576
		486	540	594	648
		216	240	264	288
12	30 yr. or more, less than 33 yr.	360	396	432	468
		480	528	576	624
		540	594	648	702
		240	264	288	312
13	33 yr. or more, less than 36 yr.	396	432	468	504
		528	576	624	672
		594	648	702	756
		264	288	312	336
14	36 yr. or more, less than 39 yr.	432	468	504	540
		576	624	672	720
		648	702	756	810
		288	312	336	360
15	39 yr. or more	468	504	540	576
		624	672	720	768
		702	756	810	864
		312	336	360	384
16	Life sentenced	504	540	576	612
		672	720	768	816
		756	810	864	918
		336	360	384	408

- (2) After grading, responsibility points will be based on the assessment of daily behavior and recorded monthly by prison staff. Monthly points will be accumulated until the responsibility points of each particular grade are completed; then convicts will move up to the next grade; any extra points remaining from previous grades will accrue to the next grade's total.
 - (3) Based on form 1, recidivist convicts' responsibility points are increased $\frac{1}{3}$ from grade 4 to grade 1.
 - (4) Based on form 1, parole-revoked-inmate's responsibility points are increased $\frac{1}{2}$ from grade 4 to grade 1.
 - (5) Based on form 1, juvenile convicts' responsibility points are reduced to $\frac{1}{3}$ of each type of grade.
5. The maximum points of responsibility that may be awarded to each grade each month:
- (1) General inmates (18 years old when crime was committed)
 - a. Education and instruction is 4 points
 - b. Labor is 4 points
 - c. Behavior is 4 points
 - (2) Juvenile inmates (under 18 years old when crime was committed)
 - a. Education and instruction is 5 points
 - b. Labor is 3 points
 - c. Behavior is 4 points
 - (3) The maximum points that may be awarded to each grade each month for general inmates are limited to:
 - a. 4th grade: Education and instruction is 2.4 points; behavior is 2.4 points.

- b. 3rd grade: Education and instruction is 2.9 points; behavior is 2.9 points
- c. 2nd grade: Education and instruction is 3.4 points; behavior is 3.4 points
- d. 1st grade: Education and instruction is 3.9 points; behavior is 3.9 points

(4)The maximum points that may be awarded to each grade each month for juvenile inmates are limited to:

- a. 4th grade: Education and instruction is 3.4 points; behavior is 2.4 points
- b. 3rd grade: Education and instruction is 3.9 points; behavior is 2.9 points
- c. 2nd grade: Education and instruction is 4.4 points; behavior is 3.4 points
- d. 1st grade: Education and instruction is 4.9 points; behavior is 3.9 points

6. Mitigative treatment

(1)Inmates eligible for mitigative treatment are:

- a. Persons who endure an illness diagnosed by a doctor that requires long term treatment.
- b. Persons who are diagnosed with mental disorders, mental illnesses, or serious retardation in intelligence.
- c. Persons who are old and with physical disabilities, having difficulty with movement, or an inability to live on his/her own.
- d. Persons who, in accordance with the results of investigation and classification, are deemed essential recipients of mitigative treatment.

(2)Treatment content

- a. Education and instruction: by way of individual

- rehabilitation and benefit to the body and mind.
- b. Labor: the assigned labors are based on the inmate's interests and health condition. If inmates suffer from diseases, with the Prison Affairs Committee's approval, his/her labor will be suspended. The labor point will be deducted up to 1/2 according to the Article 20 of the **Statute of Progressive Execution of Penalty**.
 - c. Imprisonment: Inmates may be imprisoned separately; the environment must not harm his/her mind and body.
 - d. Visits and correspondence: In some particular cases, inmates may be allowed to visit or correspond with people other than their family; because of an illness or for a disciplinary reason, inmates may be allowed to visit in a place other than the general visiting room; the times and the frequency of visit can be extended or increased if necessary.
 - e. Supply: Inmates' fare can be adjusted accordingly; via the prison's permission, personal clothes and sleeping mattresses can be allowed; the prison will also provide the necessary clothes and articles for health.
 - f. Grading: Based on form 1, the responsibility points of each grade is reduced to 4/5.

Chapter Four

Shorten the sentence

1. Objects

- (1) General 3rd grade inmates or up, except those with life sentences; responsibility points awarded each month must be over 10 points.
- (2) Open Prison inmates

2. Shortening days of general inmates each month

- (1) General inmates
 - a. 3rd grade: sentence executed will be shortened 2 days.
 - b. 2nd grade: sentence executed will be shortened 4 days.
 - c. 1st grade: sentence executed will be shortened 6 days.
- (2) Open Prison inmates
 - a. 4th grade: sentence executed will be shortened 4 days.
 - b. 3rd grade: sentence executed will be shortened 8 days.
 - c. 2nd grade: sentence executed will be shortened 12 days.
 - d. 1st grade: sentence executed will be shortened 16 days.

3. Shortening revocation

According to the **Statute of Progressive Execution of Penalty**, inmates' shortened-days must not be revoked except for those who have bad labor performance, disobeyed orders or have been degraded at the Open Prison. For those inmates in the Open Prison who have been transferred to other prisons, shortened-days must all be revoked; according to the severity of the violation, inmates who are permitted to remain in the Open Prison, shortened-days will be suspended for the month that the violation occurred; for parole-revoked inmates, shortened-days at the Labor Prison must be revoked.

4. Shortening suspension

- (1) During the period of punishment, progressive points will be suspended.
- (2) If a violation occurs during the punishment period, progressive points will be suspended for 6 months.

5. Effectiveness of sentence shortening

- (1) The shortened-days no longer need to be served; any revoked-days need to be served.
- (2) The calculation of the sentence for progressive treatment or parole is based on the sentence after shortening.

Chapter Five

Reward and Punishment

1. Rewards conduct: an inmate who performs any of the following conduct will be rewarded:
 - (1) Inform about an intention or imminent act of escape or violence.
 - (2) Rescue a human life or capture an escaped inmate.
 - (3) Contributions during the natural disaster, incidents or an outbreak of contagious disease.
 - (4) Excellent labor performance.
 - (5) The particular contributions are sufficient to bolster the prison's honor.
 - (6) The particular designs of labor techniques, machinery, facilities, health and medical care were contributed.
 - (7) Propositions to improve the internal and external management of the prison were contributed.
 - (8) Any good conduct sufficient to serve as a model for other inmates.

2. Reward measures: an inmate whose conduct merits reward will receive the following:
 - (1) Public commendation.
 - (2) Increase the frequency of visits or correspondence.
 - (3) Confer citation or medal.
 - (4) Increase points as a basis for grading.
 - (5) Reward with books or other prizes.

(6)Reward with comparable bounty.

(7)Receive better supplies.

(8)Other special rewards.

The special rewards may include the privilege of home furlough or cohabitation with spouse and direct relations at assigned location and time; the regulations therefore shall be regulated by the Ministry of Justice.

3. Standards of point increases

(1)Standard of behavior points

a. Inmates who rescue a human life or capture an escaped inmate may be awarded 1 behavior point.

b. Inmates who contribute during natural disasters, incidents or contagious disease outbreaks may be awarded 1 behavior point.

(2)If an inmate's rehabilitation performance turns out as follows, general inmates may be rewarded between 0.5 to 1.3 behavior points; juveniles, between 1 to 1.7 points.

a. Excellent record with first runner up in education or examination performance.

b. Excellent behavior that is sufficient to serve as a model for other inmates.

c. Particular contributions to preserve prison order and to prevent an inmate's escape.

d. Any valuable proposal to the prison.

(3)Standards of labor point increases

a. If the labor supervisor's assistance is attributable to an inmate's excellent labor techniques, he may be awarded 0.7 to 1.3 labor points.

- b. If the contribution of the machinery or facility's maintenances is sufficient to save public money, he may be awarded 0.7 to 1.3 labor points.
- c. If a valuable proposition was employed by labor management and contributed may be awarded 0.7 labor point.
- d. If a new design was employed by labor management, he may be awarded 0.7 labor point.
- e. If excellent performance is sufficient to bolster the prison's honor, he may be awarded 0.7 labor point.

The rewarding of labor points cannot exceed more than 1.3 points within the same month; juveniles cannot exceed more than 1 point within the same month.

4. Punishment methods

Inmates who violate discipline will be subjected to one or several punishments, as follows:

- (1) Reprimand.
- (2) Suspension of visit from 1 to 3 times.
- (3) Forced labor from 1 to 5 days, limited to 2 hours a day.
- (4) Suspension from purchasing articles.
- (5) Reduction of labor remuneration.
- (6) Suspension of outdoor activity from 1 to 7 days.

5. Point deduction standards

- (1) In addition to an inmate's punishment during that particular month, points will be deducted as follows:
 - a. Reprimand; 0.5 point will be deducted each time.
 - b. Suspension of visit from 1 to 3 times; 0.5 point will be

deducted each time.

- c. Forced labor from 1 to 5 days; 0.5 point will be deducted each day.
- d. Prohibition of purchase privileges; 1 point will be deducted each time.
- e. Deduction of labor remuneration; 1 point will be deducted each time.
- f. Suspension of outdoor activity from 1 to 7 days; 0.5 point will be deducted each day.

(2) After confirmation from prison authorities regarding the punishment to be executed, the correctional staff will inform the inmate immediately, and the inmate will be provided an opportunity to explain reasons for the violation in order to avoid unjust punishments; if it is an innocent incident, the punishment will then be suspended; otherwise, it will be executed unless the inmate is ill or has any particular appropriate reason.

6. Punishment appeal

(1) What is the punishment about?

First, let us try to understand the meaning of “punishment.” “Punishment” can be explained simply as how the administration department handles particular matters and specific treatments, instruction about what should be done or shouldn’t be done, including reprimands and treatments enforced by the prison administration, are all so-called “punishments.” Basically, inmates are obligated to obey the decisions that are made by the prison, which must be lawful and not impinge on the purpose of modern education by any means. According to the **Law of Execution in Prison**, anytime that inmates feel they are

not been treated fairly or their rights have been abused, they may appeal.

(2) Appeal methods

- a. If an inmate disagrees with the punishment, his/her appeal will go to the warden first, and then be forwarded to the Ministry of Justice or supervisory personnel. Inmates are allowed to appeal directly to supervisory personnel.
- b. The punishment will not be suspended while the appeal is being processed.

c. Any appeal must accord with the rules as follows:

1. When an appeal is executed by way of a verbal or written report; the details of the verbal appeal will be documented by officials; the written report must be dated, and the name of the inmate, his/her punishment period, the reason and date of punishment, the reason for the appeal, and a signature and fingerprint must be included.

2. Any anonymous appeal is not acceptable.

3. If the inmate's appeal reason is granted, the punishment should be suspended; if the reason is rejected, the appeal case then will send to the Ministry of Justice for further review.

4. If the appeal reason is granted by the Ministry of Justice, the punishment should be suspended, revoked or modified; if the reason is rejected, the inmate will be informed.

5. If the supervisory personnel accept the appeal, they are obligated to investigate the necessity of the case, and an investigation report must be submitted to the Ministry of Justice for review. During the process of

an investigation, only those supervisory personnel involved in the case may participate, unless the situation requires extra supports.

6. Prison authorities must not discriminate against inmates or create any excuses to punish inmate because of his/her appeal.

7. The Ministry of Justice has the right of final decision regarding to an inmate's appeal.

8. Any appeal against another institution's punishment decision must be passed on through this prison facility.

7. Application of constraining devices and solitary confinement

In cases of inmate escape, attempted suicide, violence or other misconduct, constraining devices may be applied or the inmates may be taken into the sedation area. The purpose of the constraining device is a measure for the inmate's protection, not for punishment; the sedation area is a place for inmate to introspect and correct their mistakes.

(1)The constraining devices are limited to four types including feet shackles, handcuffs, chains and arresting ropes.

(2)The regulations of application of constraining devices

a. The constrained inmate's behavior is examined by correctional staff at all times, and the device will be removed if it is unnecessary.

b. When application of a constraining device is up to one week, if deemed necessary, the extension for one more week will be approved by the warden, and will be further extended if necessary.

c. An assistant or a higher ranking of prison staff must

supervises the inmate when the constraining device is applied. If it is unnecessary by doctor suggests, the applying procedure will be terminated.

- d. Unless it is permitted by the prison official, an inmate is not allowed to receive 2 or more constraining devices.
- e. When the constraining device is applied, the back-handcuff or combining hands and feet with shackles at same time is prohibited.
- f. The weight of feet shackles is limited to 2 kgs; if necessary, it can increase to 3 kgs; for juveniles it is limited to 1 kg, and can increase to 2 kgs; handcuffs should not exceed 0.5 kg.

Chapter Six

Labor

Prison labor shall be designed with a purpose of training inmates to learn skills in order to make a living, to attain diligence, to enlighten one's own spiritual mind, to decrease the burden of public budget, and exploit the profit to improve the inmates' living standard, food and facility.

1. Labor assignment and the change of assignment

After the assignment of work has been arranged, it is prohibited to change from one job post to another except for correctional purposes or safety concerns. Changing the job post may only occur on condition of unsuitable personality or due to treatment and other necessities.

2. Labor time and program

(1)The labor time shall be 6 to 8 hours a day depending upon the labor type, energy required or equipment condition.

(2)Labor program: the labor assignment of each day must be finished according to the schedule.

a. Inmate labor shall be based on regular standard for equalizing the labor time according to the average productivity of general labor overall.

b. Labor such as cooking, tending, repairing and maintenance, gardening and trustee, etc., should be assigned according to the same standards of working and finishing hours.

3. Standard of labor points

(1)If the labor program of general inmates is measured according to average productivity, the labor points each

month are as follows:

- a. Achievement of assignment exceeding standard productivity; the labor points is 4 points.
- b. Completed the assignment; the labor point is 3.5 points.
- c. Achieved 80% of the standard assignment; the labor point is 3 points.
- d. Achieved 60% of the standard assignment; the labor point is 2.5 points.
- e. Achieved 40% of the standard assignment; the labor point is 2.0 points.
- f. Achieved 20% of the standard assignment; the labor point is 1 point.
- g. Unachieved 20% of the standard assignment; the labor point is 0 point.

(2)According to the assignment standard as aforementioned section 2-(2)-b of this chapter, the labor points are as follows:

- a. Assignment achievement exceeded the standard productivity; the labor point is 4 points.
- b. Assignment achieved on time; the labor point is 3.5 points.
- c. Assignment delayed by 1 hour; the labor point is 3 points.
- d. Assignment delayed by 2 hours; the labor point is 2.5 points.
- e. Assignment delayed by 3 hours; the labor point is 2 points.
- f. Assignment delayed by 4 hours; the labor point is 1 point.
- g. Assignment delayed by 5 hours; the labor point is 0 point.

- (3)The juvenile's labor point is 25 % less than general inmates; juveniles who are attending the prison tutorial education, the labor points each month are as follows:
- a. The examination grade is averaged 80 point or more; the labor point is 2.5 to 3 point.
 - b. The examination grade is averaged 70 to 79 points; the labor point is 2 to 2.4 points.
 - c. The examination grade is averaged 60 to 69 points; the labor point is 1.5 to 1.9 points.
 - d. The examination grade is averaged 50 to 59 points; the labor point is 1 to 1.4 points.
 - e. The examination grade is averaged 40 to 49 points; the labor point is 0.5 to 0.9 points.
 - f. The examination grade average is less than 39 points; the labor point is 0 to 0.4 point.

4. Days off work

- (1)National holidays.
- (2)7 days for the decease of a direct relative or spouse, 3 days for the decease of a collateral relative.
- (3)Where deemed necessary for other causes.
 - a. Cooking, learning and other labors of urgent need, except for those involving decease of a direct relative or spouse, may not be suspended.
 - b. Inmates within 3 days from prison admittance and 7 days before release may be exempted from assignments.

5. Standards for the amount of remuneration that inmates should receive

- (1)The regulation for remuneration shall be regulated by the Ministry of Justice.

(2) Inmate labor remuneration is calculated after deducting the labor expenses; 50% of the remainder shall be allocated as labor reward, and 25% of the labor reward shall be allocated as compensation to the victim of the crime. From the remaining labor remuneration, 30% shall be allocated to supplement the inmate's meals, and 5% shall be allocated as incentive awards for inmates, and 5% shall be allocated as awards for prison officers; the fiscal remainder will be divided according to cyclical budgeting paradigms, 30% of which shall be delegated for improving inmates' living facilities, and the remaining 70% used as a labor fund.

(3) Inmates can withdraw from their total remuneration each month according to their grade, as follows:

- a. 4th grade is $\frac{1}{5}$.
- b. 3rd grade is $\frac{1}{4}$.
- c. 2nd grade is $\frac{1}{3}$.
- d. 1st grade is $\frac{1}{2}$.

6. Application and payment of pension for disabled inmates

(1) In case of injury, sickness or death sustained by inmates owing to labor, accordingly he/she may apply for the disability pension from the prison.

(2) In the case of deceased inmates, the labor reward or consolation stipend shall be advised to the inmate's nearest kin for collecting.

(3) If the labor reward or consolation stipend is left unclaimed for six months, it shall be appropriated into the labor fund.

Chapter Seven

Education and Instruction

Basically, prison rehabilitation can be distinguished into instruction and education. Instruction is aimed at inspiring intuitive knowledge, cultivating moral integrity, changing the temperament and reestablishing the personality of inmates. Education is aimed at enhancing the intelligence and inspiring the rationality by coordinating them through instruction, as well as by teaching the necessary knowledge for the inmates' healthy living. The activities are as follows:

1. Instruction

(1) Individual instruction

Individual instruction is one of the most important links for sound rehabilitation work. Therefore, all correctional personnel are encouraged to communicate and discuss everything with inmates at any time, and any place, without any formality: to console the illness, to admonish violation of rules, and to encourage the reward and parole of inmates. Inmates with any difficulty or problems may express themselves to the counselor when individual instruction is provided; it will be given proper consideration.

(2) Group instruction

Group instruction will be held on holidays or days-off at the auditorium or other site. The one hour disquisition will be given by counselor or reputable individual; unless inmates are sick or in a serious incident, all inmates must attend.

(3)Classified instruction

Classified instructions shall be administered not only through the results of classification and investigation, but also shall be administered according to the offences committed by the inmate. The duration of the instruction shall not be too long, with one hour maximum, and on a weekly basis.

2. Education

(1)General education

a. Education shall be conducted according to the educational level of each inmate and categorized into primary, advanced and tutorial education.

1. Primary class

This class is taught with phonetic notation, and words and expressions for everyday use. The course level is equivalent to the primary school; the school record of the inmate must average higher than 60 points before admittance to advanced class is permitted.

2. Advanced class

This class is taught same as senior high school level.

3. Tutorial class

Inmates in this class will be assigned with the books from rehabilitation collections or other useful books for self-study; college elective courses are also available for continuing education.

(2)Professional education

The purpose of professional education is to help improve an inmate's skill and learning for a future plane in which

he/she will be able to make a living after he/she is discharged. The prison administers various skills training classes according to inmates' interests.

3. Activities

To relax inmates and cultivate healthy living habits, each prison is equipped with various materials for activities and a library. Inmates are encouraged to make opportunities to practice and read. The prison organizes activities like speech contests, singing contests, wallpaper drawing contests, T.V. programs, music concerts, sporting events, chess contests, encouraging writing and contributions, and an essay writing contest, etc. The purpose of these activities is to bolster the inmates' body and mind, and to cultivate a positive, upbeat, enthusiastic and progressive outlook on the inmates' life. We hope inmates can participate in all activities according to their interests and specialties, and make living more enjoyable during their incarceration.

4. Religious preaching

The prison tries to take the inmates' religious beliefs into consideration, and invites individuals from each religious group to clarify the doctrines that serve as a correctional purpose for inmates. They may conduct religious rituals. Inmates may perform individual prayers or other appropriate rituals, provided they do not interfere with discipline.

Chapter Eight

Visits and Correspondence

Inmates are permitted to contact with outsiders through visits and correspondence as long as he/she is not interfering with the prison order. The rules are as follows:

1. Objects of visits and correspondence

(1) Inmates may only receive visits from and correspond in writing with direct relatives and family; if there is an exceptional reason, inmates may be allowed to receive visits and write correspondence with others. The details are as follows:

- a. The term “direct relatives and family” refer to and include spouses, lineal relatives, collateral relatives within 2 degrees of kinship, and relatives by marriage within 3 degrees of kinship.
- b. The term “family members” are defined pursuant to Article 1123 of the Civil Code.
- c. The term ”exceptional reasons” is defined and limited to persons who can establish a reason for visits and correspondence which do not interfere with the principles of the prison.
- d. In order to prove the aforementioned relationship of relatives and/or family members, sufficient documentations or information resulting from investigation shall be presented for certification.

(2) Foreign inmates and inmates without nationality are permitted to meet and communicate through letters with the ambassadors or chancellors from the country of the inmate, or those who represent the country of the inmate.

People from international institutions or religious groups may also meet and correspond with inmates.

(3)The objects of visit for each grade

- a. The 4th grade inmate or the inmates who is not yet graded is permitted to visit and correspond with kinfolk.
- b. The 3rd, 2nd and 1st grade inmate is permitted to visit and correspond with people other than kinfolk provided it does not disrupt the education and instruction.

(4)Visitors approved for prison visits may bring children under five years of age.

(5)In case a prison visitor is considered to pose a risk to prison discipline and the inmates' interests, such visits may be denied.

2. The times, frequency and site of visit

(1)Unless otherwise regulated, a visit is allowed once a week, and the length is limited to 30 minutes. The frequency and length of the visit may be increased or extended if deemed necessary and must be approved by prison authorities.

(2)The frequency of visits are as follows:

- a. The 4th grade or not yet graded inmates; unless otherwise regulated, one visit is allowed each week.
- b. The 3rd grade inmates; unless otherwise regulated, one visit is allowed every 4 days.
- c. The 2nd grade inmates; unless otherwise regulated, one visit is allowed every 3 days.
- d. The 1st grade inmates; unless otherwise regulated, one visit is allowed every week day.

(3)The visit should be held in the visit room unless

disciplinary consideration or sickness concerns require another venue.

3. Problems of correspondence

- (1) Postage shall be inmates' own responsibility; it can be provided by the prison in exceptional circumstances.
- (2) In circumstances where the inmate is illiterate or cannot write on his own, the prison staff shall write on behalf of the inmate and the writing must be signed and fingerprinted by the inmate. In circumstances where the inmate cannot sign his/her name, other persons shall sign for the inmate and the writing must be signed and fingerprinted by the inmate. The person who signs on behalf of the inmate shall fingerprint the reason and sign the paper with his/her own name.

4. Limitations of visits and correspondence

- (1) Visits and writing correspondence shall be affected in the Chinese language. The uses of symbols and cryptographs are prohibited. However, inmates who are mute or blind are permitted to use hand sign language or Braille. Foreign inmates or without any nationality are permitted to use their own language or internationally recognized languages.
- (2) All writing correspondence is subject to the inmate officer's inspection; in cases that jeopardize prison discipline, before the letter is sent, the inmate shall be required to remove questionable writing after being given a reason. In case of inmates receiving questionable writing, the prison shall also give a reason, and delete the offending

part before the correspondence is turned over to the inmate.

- (3) Essays written by inmates, whose subject is appropriate and does not offend the discipline and reputation of the prison, may be published in newspapers or magazines.

5. Telephone visits

The Ministry of Justice can facilitate an inmate's urgent need to contact his/her family, if the need does not contravene any of the aforementioned regulations. For those family members who are unable to come to visit inmates at the prison due to a particular reason, the rules are as follows:

- (1) Telephone visits must be applied according to these situations:
 - a. Any inmate whose grandparent, parent, spouse, children is seriously sick.
 - b. The family has encountered a natural disaster or a urgent event.
 - c. The inmate's nearest kinfolk or family are unable to come to visit due to physical distance, age, disability, baby or poverty.
 - d. Inmates need to contact the nearest kinfolk or family urgently.
- (2) Timing of telephone visits: 9:00 a.m. to 11:00 a.m. and 2:00 p.m. to 4:00 p.m.; exceptions are to be permitted by prison authorities; each visit is no more than 5 minutes; any extension of visit must have permission first.
- (3) The telephone visit must be conducted according to the proper procedure of application by the inmate or the nearest kinfolk.
- (4) Applications are forbidden to an inmate whose visits and

correspondence are suspended by order of the prosecutor or the judge, and inmates under evaluation due to rule violations.

- (5) When inmates are on a telephone visit, his/her conversation will be monitored by the prison officer; if the conversational purpose is not in accordance with the application, the telephone visit will be stopped at once.
- (6) The phone expenditure should be paid by the inmate or by means of a collect call.

5. Appointment visit

To prevent having to wait for visits, the prison has established the Phone-Appointment or Counter-Appointment method.

(1) Application methods

a. Phone-appointment

1. **Phone number: 07-7920586*294**

2. The Phone-appointment must be made **1 day** in advance (need to be done at worktime).

3. The appointment will be accepted on every Monday through Friday (except holidays) from 9:00 a.m. to 11:00 a.m. and from 2:00 p.m. to 4:00 p.m.

b. Counter-appointment

1. The visitor may make an appointment for the next visit after the current visit is finished.

(2) Application and frequency of visits

- a. The applicant is limited to the nearest kinfolks of the inmates who have visited before.
- b. The frequency of visit is regulated according to provisions from the **Statute of Progressive Execution**

of Penalty.

- (3) A maximum of **3** reservations are allowed in each round of visit on a regular day. The reservation office will be closed during the holidays and Chinese New Year.
- (4) Schedule of appointment visits
- a. The first round of visit: 09:10.**
 - b. The second of visit: 09:50.**
 - c. The third of visit: 10:30.**
 - d. The fourth round of visit: 11:00.**
 - e. The fifth round of visit: 14:20.**
 - f. The sixth round of visit: 15:00.**
 - g. The seventh round of visit: 15:40.**
 - h. The eighth round of visit: 16:20.**
- (5) The regulation of appointment visits
- a. The inmate is not qualified for application if he/she has violated the rules and is suspended before the visit.
 - b. The visit reservation will not be accepted if the previous appointment has not yet occurred.
 - c. The appointment visit will be executed within 3 days to 1 month after the application is accepted.
 - d. The visitor should be at the reception office 10 minutes before the appointment with the approved application in order to complete the procedure.
 - e. If the kinfolk can not meet the schedule after making an appointment, he/she must call the office **(07-7920586*294)** to cancel it before that appointment start; if the kinfolk missed the appointment without any proper reason **2 times within 6 months, the service to the particular kinfolk will be suspended for 1 month.**

(6)When the kinfolk make an appointment for a visit, he/she must present identification; if a false identification is presented, the service to the particular kinfolk will be suspended permanently.

Chapter Nine

Home visit, cohabitating with the spouse and direct relations and prison furlough

1. Home visit

(1) The regulation of home visit for general inmates:

- a. In case of the death of an inmate's grandparents, parents, spouse, children or sibling, the inmate may be granted a home visit with guardianship; the inmate must return to the prison within 24 hours; The span of the visit shall be reckoned as time served.
- b. In case of major events requiring an inmate's home visit, and subject to approval by the Ministry of Justice, provisions may be applied as follows:
 - I. The life of an inmate's grandparents, parents, spouse, children or sibling is in danger.
 - II. The family has encountered an urgent event.
 - III. An inmate who is soon to be discharged must participate in an examination for school entrance or job interview.
 - IV. The problem can only be taken care of by the inmate in person.

(2) The regulation of home visit for 1st grade juvenile

When a 1st grade juvenile's great-grandparents, grandparents, or parents are critically ill or have encountered other major events, he/she is allowed to visit at home and return to the prison as time is stipulated. The span of visit shall be determined by the Committee for Prison Affairs and shall be reckoned as time served.

(3) The regulation of home visit for Open Prison Inmates

- a. If the inmate has grandparents, parents, spouses, or

other relatives living together, and those who meet the following requirements, they may apply to return home for a holiday or anniversary.

- I. Those who have applied for home visits in the two months before the visit have reached the legal labor point maximum of 80% or more.
 - II. There is no violation record in the two months before applying for home visit.
- b. The sentence of imprisonment less than 3 years once a month; the sentence of imprisonment 3 to 6 years once every 2 months; the sentence of imprisonment 6 to 12 years once every 3 months; the sentence of imprisonment over 12 years or life imprisonment once every 4 months.
- c. The time for home visit must not exceed 40 hours at a time, but it may be extended for 24 hours in case of anniversaries or holidays for more than 2 consecutive days. The above time does not include the time of transit, and the transit time is determined by the governor at the discretion of the prisoner to return home.
- d. The following circumstances may occur and the prison governor must be reported within the original designated return period when he/she is unable to return to prison according to the original time.
- I. Traffic disruption due to natural disasters or other unavoidable events.
 - II. Suddenly infected with serious illness, certified by public and private hospitals, who are required to be hospitalized.
- e. Home visit inmates without the circumstances listed

above, and have not returned to the prison within the specified period, the outside date are not counted into execution period and will face the crime of escape.

2. Cohabiting with the spouse and direct relations

(1) Application terms

- a. He/she must be a **1st** grade general or open prison inmate .
- b. The inmate's current progressive point total must average 9 points or higher without any suspension of outdoor activities.

(2) Family dependents are limited to great-grandparents, grandparents, parents, spouse, children, grandchild and great-grandchild.

(3) Frequency and time limitation

The inmates who meet the eligibility for living with the family are limited to apply once a month, and the application should be approved by the Committee for Prison Affairs. The application time is from 14:00 to 16:00 on from Monday to Thursday. The number of people accepted will be adjusted according to the place situation. The number of the overdue will be processed in the next month according to the priority of the application.

3. Prison furlough

The execution of the inmate's prison term must be over 3 months and the inmate must be well behaved. His/her condition of prison furlough during the day time is as follows:

(1) Qualification

- a. Life-sentenced inmates; more than 9 years of the prison term must have elapsed; for all other sentences, more than 25% of an inmate's sentence must have elapsed, and the purpose of the leave is to anticipate an entrance examination or occupational training. (The school or the training institution must be approved by Ministry of Justice.)
- b. Inmates sentenced to less than 3 years must execute 25% of his/her prison term, and the purpose of the leave is to anticipate a charity work.
- c. Inmates with unexecuted prison terms of less than 1 month, or with proved parole petitions, may be granted for preparation of school entrance or a job interview.

(2) Limitations

Inmates are not allowed to apply for prison furlough if he/she meets the following conditions:

- a. The inmate has attempted escape or is on a drug conviction.
- b. The inmate is a recidivist or habitual criminal; except negligent criminals.
- c. The inmate's parole has been revoked.
- d. Inmates who are under an additional criminal investigation.
- e. The conviction of the inmate includes enforced labor or a disciplinary reformatory education.
- f. Other unsuitable conditions

After the Ministry of Justice has granted permission, the inmate is free to leave the prison without guardianship. Inmates must return to the prison at the time specified, or report to a designated office if it is necessary. If inmates do not return to the prison or report to the designated office, he/she will be considered an escapee, and the span of the leave will not be reckoned as time served.

Chapter Ten

Supply

1. Meals

The supply of meals include drinking water along with staple and sub-meals, The staple food is rice, bread or noodles, sub-meals are vegetable, tofu or meat, etc.. All food supplies are purchased through the General Affairs of the prison. The food quality is inspected by representatives from each workshop or cell on a shift basis. The cooking of meals shall be assigned and a menu made public. The prison shall, according an inmate's nationality or religious beliefs, adjust the menu to proper foods.

2. Articles

The articles that inmates may use in the prison are limited to the essentials of daily living.

3. Clothes and mattresses

Clothes and mattresses for inmates shall be domestically produced; allowances shall be made to cope with different seasons. The style and color of the inmates' clothes shall be decided by the Ministry of Justice. In circumstances where it is deemed appropriate, inmates are permitted to use personal clothes and mattress with the prison's approval.

4. Other essential devices

The supplies of other devices for essential living are as follows:

(1) Utensils for dining purposes.

- (2) Utensils for toilet and washing purposes.
- (3) Utensils for facial cleaning purposes.
- (4) Cabinets for the storage of daily clothes and tools for altering and fixing clothes and mattresses.
- (5) Cleaning equipment for sanitary purposes.

Chapter Eleven

Sanitary and Medical Treatment

1. Sanitary

(1) Environmental Sanitation

The prison's environmental sanitation shall be in good condition at all times; the inspection shall be held at least once every 15 days.

(2) General sanitation

a. All utensils, clothes or mattresses of inmates must be kept neat and clean at all times. They may be exposed to the sunlight regularly, in addition to disinfection according to times deemed necessary.

b. Inmates shall take a shower once everyday: **hot water is provided during winter times. If the inmates are pregnant, old, ill or disabled, hot water is provided all seasons. Inmates are allowed to keep long hair or braids over their ears.**

c. Exercise

Inmates shall exercise half an hour daily, unless their labor deems exercise is unnecessary or if there is a situation that the exercise shall be cancelled.

d. Health examinations

i. In-prison health examinations will be held once each season. Random examinations shall also be administered according to the inmate's physical and mental conditions.

ii. Health examinations shall be conducted at the time of admission, release, or transfer.

iii. Health examinations shall be administered by the prison's physicians. In circumstances where

there is a lack of equipment, the inmate will be permitted to visit a local medical center for examination.

iv. Examination results shall be recorded in detail. Inmates with illness shall be diagnosed and treated, or be entitled to receive appropriate therapies.

e. Preventive medicine injection

The prison shall implement precautionary and preventive measures during epidemics or other acute contagious diseases. Whenever necessary, preventive medicine injections shall be supplied to inmates.

f. Refusing food

In the case of inmates who refuse food and water, in spite of persuasion and whose life may be endangered, forced feeding may be administered by the prison physician.

2. Medical treatment and outside medical treatment when on bail

(1) The corrective organizations are included in the National Health Insurance in 2011, and the second-generation health insurance implementation publicity matters as followed:

A. Insurance premium

According to Articles 8, 9 and 10, Paragraph 1, Category 4, and 3 items of the National Health Insurance Law, the execution of the penalty in the correctional institution or the security punishment and the disciplinary action for more than 2 months, whose insurance premiums for the period of admission and the health insurance premium during the period of admission shall be fully subsidized by

the central correction authority.

B. Self-paying expenses

However, according to the Articles 43, 45 and 47 of the National Health Insurance Law, the self-burden of outpatient, inpatient, drug and sanitary materials, etc., shall still be borne by the inmates at their own expense, and the registration fee shall be the same. The supervisor is undertaken by the Kaohsiung Armed Forces General Hospital. For the benefit of the inmates, the registration fee is only 50 New Taiwan dollars, and the basic part is 50 New Taiwan dollars, totaling 100 New Taiwan dollars, that is, the prison health care clinic visits 100 New Taiwan dollars once. If there is difference of prices, inmates should pay additionally.

C. Health Insurance

The inmates who are fully subsidized by the central correction authority is mainly responsible for the use of health care. The public health care provided by the correctional institution in accordance with the corrective regulations shall be based on the principle of providing a inmate who does not meet the qualifications of Category 4 and 3 items of the National Health Insurance Law.

- (2) Outside medical treatment when on bail or transfer to an outside hospital for treatment
 - a. Ill inmates will be well treated by the prison's physician to the best of their ability.
 - b. In cases that the prison official deems a circumstance of emergency, the treatment measures may be carried out first, and petition filed later. For inmates whose remaining sentence exceeds 5 years, the prison shall

telephone the Ministry of Justice in advance for approval.

- c. The duration of outside medical treatment shall not be included in the sentence term; the duration of time inmates who stay in a sick ward or hospital will be included in the sentence term.
- d. When an inmate is on bail for an outside medical treatment, the guarantor must complete the procedure and pay the bail; the prison authority is subordinate to the orders of Prosecutor of the Magistrate Court.
- e. Those inmates who are old, disabled or unable to take care themselves, will be treated according to aforementioned item a, c, d.

Chapter Twelve

The receiving and safekeeping of personal money and belongings

The personal belongings and money that inmates carried or had sent in to prison are subject to inspection. These valuable items shall be turned over to the prison staff for safekeeping. Inmates are not permitted to keep personal belongings or money in their cell; this is to ensure that cells are kept neat and orderly, to prevent loss, and to prevent any gambling. Daily essentials for living that are approved may be delivered and retained by inmates. All items in safekeeping will be returned to the inmates upon their release.

1. Receiving money and safekeeping

- (1)The personal money that inmates carried in to prison shall be turned over to the prison staff for safekeeping. The money orders or cash received will be registered by General Affairs of the prison, and turned over to the safekeeping department. The money sent in by visitors will be registered with three receipts; one receipt is to be kept by visitor, one by the inmate and one by the General Affairs for record purposes.
- (2)The labor remuneration of inmates will be deposited in the State Treasury each month.
- (3)All inmates' safekeeping money and articles are kept in the prison's safe-deposit-box under the protection of a security system.

2. The usage of safekeeping money

- (1)When inmates make a purchase, a triplicate form shall be

filled out with the name signed and fingerprint affixed. The amount of each purchase shall not exceed **N.T. \$ 300**; If the amount of the purchase is less than **N.T. \$ 300**, the residual amount can not be used as an additional to the next purchase. When the purchased items are delivered, inmates have to sign a receipt.

(2)For other expenditures, a written report must be submitted for an approval by the prison authorities.

3. Money refund

Money in safekeeping shall be refunded to inmates at the time of prison release. A receipt of the refunded money shall also be kept and filed.

4. The types, quantities and limitations on articles admissible to inmates from outside the prison

(1)The variety and quantity of food and essentials sent into prison shall be limited; those approved may be delivered to the inmates intended.

(2)Foods and necessities given to inmates shall be inspected. Types and quantities are subject to the following rules and limitations:

a. Foods: Restricted to prepared dishes and fruits, which shall not exceed 2 kilograms each time. Items that endanger the health of inmates, or items that conceal prohibited items, or offend the discipline of the prison are not permitted.

b. Books: **Limited to 3 books** each time. Photos, Stamps and sheets of letter are **not** accepted.

c. Clothes: Clothes with metal parts, ropes, and velcro are

- not** accepted. Too transparent or exposed clothes and long towels are not accepted either.
- d. Pillows, bedding and shoes are **not** accepted.

However, items that conceal prohibited items or offend the discipline of the prison are not permitted to be given to inmates. If the content of books interferes with the correctional progress of inmates, the readings shall not be given to the inmate.

5. The returning, confiscation or discarding of received money and articles.
- (1) In cases whenever money and articles received are deemed inappropriate, or the name and whereabouts of the sender are unclear, or they are refused by the addressed inmates, such assets shall be duly returned to the sender; if unable to return them, they may be confiscated or discarded pending a decision by the Committee for Prison Affairs.
 - (2) In cases of unauthorized holding of money and articles, such money and articles shall be confiscated or discarded according to a decision by the Committee for Prison Affairs.
6. The usage, refund or confiscation of money and articles in safekeeping.
- (1) The usage of articles in safekeeping may be granted by prison authorities, and a signature is required when articles are received by inmates.
 - (2) All money and articles held shall be returned to the inmates at the time of prison release. If inmates have legitimate grounds, he/she may be permitted to use the money and

articles, wholly or partly, before prison release.

- (3) Money and articles left behind by a deceased inmate shall be notified to the nearest kin for collection. If no kin shows up to collect within a year, such money and articles may be confiscated; in the case of escaped inmates, if the inmate is not captured within a year, money and articles shall be confiscated.

Chapter Thirteen

Release on Parole

1. The meaning of parole

Before the inmate's prison term is completely served, a parole petition will be submitted by the superintendent to the Ministry of Justice for an approval of an inmate's release. Inmates must have served the correct proportion of their full term according to the law. Also inmates must meet performance standards. If these conditions are fulfilled, or parole report may be approved. In any situation, if inmates awaiting deportation have committed another crime in Taiwan, the remainder of their prison term shall be served without parole.

2. Parole terms

(1)The execution of prison terms are distinguished into life-sentences and other types of sentences.

(2)The prison terms to be executed are:

a. Life-sentenced inmates must serve a term of at least 25-years; a minimum 1/2 prison term must be served by inmates with other types of sentence; a 2/3 prison term must be served by inmates who are recidivists. The exceptions are as follows:

i. If a recidivist is granted parole for his/her last crime and the severity was a minimum sentence of 5 years, during his/her parole, and then commits another crime of a minimum sentence of 5 years within 5 years

b. A 7-year prison term must be served by a life-sentenced juvenile inmate; a 33% prison term must be served by

other types of juvenile sentences.

- c. The span of detention is deemed as time served to the inmates with other types of sentences; the prison terms must be served within at least 6 months from the day of the execution order specified by the prosecutor.
- d. If the detention span of a life-sentenced inmate is more than 1 year, the days exceeding that year shall be deemed as time served.

(3)Regulations

- a. General inmates must average 3 points or higher for rehabilitation points, labor points and behavior points during the three consecutive months before their paroles are petitioned.
- b. The juvenile inmates' rehabilitation points, labor points and behaviors point must be 4 points, 2 points and 3 points respectively during the three consecutive months before their paroles are petitioned.
- c. Inmates who are petitioning for parole must be at the 2nd grader or higher.
- d. Those inmates who are convicted of crimes against the Paragraph 1, Article 91 of the Criminal Code should accept mental therapy or treatments. Inmates can only apply the release on parole, if the assessments and counseling have indicated significantly improvements.

- (4)All parole petitions are to be examined and approved by the Ministry of Justice; according to the performance records of inmates in their imprisonment, and in accordance with the principle of fairness and just methods. It is strictly prohibited to lobby for or attempt to offer an unlawful bribe to obtain parole.

3. The duration of responsibility and effect of probation after parole

(1)The duration of responsibilities after parole

The duration of responsibility to the authorities for the ex-convict is 20 years for life-sentences; for other types of sentence, it is the unexecuted prison term.

(2)The effect of probation after parole

The unexecuted prison term is deemed as time served as soon as the inmate is released from parole. Unless the parole is revoked before the final execution date of the sentence, the prison term is considered to be completely executed.

4. The revoke of parole

(1)In the case of an inmate who is on parole and has committed another crime, his or her parole will be revoked unless the particular crime is due to a negligent act.

(2)In the case of an inmate whose conduct seriously infringes the Paragraph 2, Article 74 of the Rehabilitative Measure Execution Act, his/her parole will be revoked.

Chapter Fourteen

Release and protection

1. Release

- (1) An inmate who has served his/her sentence term shall be released before noon on the day following his/her sentence expiration.
- (2) In the case of an inmate who is approved for release on parole, the prison officer shall inform the inmate of the release according to prescribed formality and hand over the parole certificate and transfer to the probation authority.
- (3) An inmate who is pardoned by an amnesty shall be released no later than within 24 hours from the day the document was received.

2. Aftercare

- (1) In some cases, protection may be deemed necessary to an inmate who has served his/her prison term or who is discharged on parole, or who is pardoned by amnesty. The Aftercare Organization or its branch office shall provide the ex-convict with proper protection and counseling at the time of his/her discharge to assist him/her with making a living and orienting his/her social life. The protections offered by Aftercare are as follows:

- a. **Direct protection**

The functions of Aftercare basically mean to offer housing and skills training; the housing is offered to inmates who are in need of protection, to house the homeless and to provide them with living necessities in the facilities that Aftercare has established; skills training is offered to those inmates who are in need of protection

and are unable to make a living by themselves, and to transfer them to a state-owned skills training institution in order to enable them to earn their own living.

b. Indirect protection

Indirect protection offers the ex-convict opportunities and assistances with finding a job and entering school. Indirect protection can help individuals with basic living essentials and other critical matters through a visit from social services or a routine interview.

c. Temporary protection

The temporary protection includes a bankroll for traveling, boarding, medical treatment, a companion with whom to go home or other places, and an assistant to apply for registration of residence or a small loan. Application from inmates or recommendation by members of Aftercare for protection will be measured according to the individual's needs by the Aftercare Organization of the Prosecution Offices of the High Courts or District Courts. Identification must be documented when applications are made to request the protections; each case will be reviewed by the management to decide whether it shall be accepted or not.

The punishments for rules violation are as follows:

1. Fighting

- (1) Inmates who have participated in a group fight with a weapon or have used a weapon to hit someone will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 7 days.
- (2) Inmates who have participated in a fight without a weapon but someone is injured will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 3-7 days.
- (3) Inmates who have participated in a fight without a weapon and nobody is injured will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 3-7 days.

2. Gambling

- (1) Inmates who have taken a commission from gambling will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 7 days.
- (2) Inmates who have gambled will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 3-7 days.
- (3) Inmates who have made gambling instruments will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 3-7 days.

3. Possessing of contraband articles

- (1) Inmates who have possessed, passed or injected any kind

of drugs will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 7 days.

- (2) Inmates who have possessed, passed or used any type of communication device will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 7 days.
- (3) Inmates who have possessed or made any kind of weapons as a dangerous concern to prison security will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 7 days.
- (4) Inmates who have possessed articles for escape purposes will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 7 days.
- (5) Inmates who have possessed, made or touched any kind of alcohol will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 3-7 days.
- (6) Inmates who have possessed any cash will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 1-3 days.
- (7) Inmates who have possessed any extra cigarettes will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 1-3 days.
- (8) Inmates who have possessed any lighters or fire lighting devices will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 1-3 days.

- (9) Inmates who have possessed any unauthorized pornography magazines or photographs will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 1-3 days.
- (10) Inmates who have possessed or eaten betel nuts will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 1-3 days.

4. Tattoos and indecent acts

- (1) Inmates who have forced other inmates to tattoo will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 7 days.
- (2) Inmates who have agreed to tattoo for other inmates will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 3-7 days.
- (3) Inmates who have asked other inmates for a tattoo will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 3-7 days.
- (4) Inmates who have possessed any tattoo tools will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 1-3 days.
- (5) Inmates who have conducted anal sex or an indecent act by force will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 7 days.
- (6) Inmates who have agreed to have anal sex or an indecent act with other inmates will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 3-7 days.

5. Breaking away from surveillance or attempt to escape

- (1) Inmates who have broken away from surveillance purposely or who have attempted to escape and found with sufficient evidence will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 7 days.
- (2) Inmates who have intentionally damaged the constraining devices, security facilities or any conduct of attempting escape will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 7 days.
- (3) Inmates who have attempted escape by pretending to be sick will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 7 days.
- (4) Inmates who have gone to other workshops or cells without permission will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 3-7 days.
- (5) Inmates who have broken away from surveillance purposely in an outside prison labor will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 3-7 days.

6. Disobeying orders

- (1) Inmates who have participated in an action of cell clamour, disturbing or creating troubles by setting fire will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 7 days.
- (2) Inmates who have participated in an action of striking cell

floors, doors, windows, locks and walls will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 7 days.

- (3) Inmates who have bullied the new arrival inmates will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 3-7 days.
- (4) Inmates who have forced other inmates to take the place of his/her punishment will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 3-7 days.
- (5) Inmates who have injured by himself purposely or refused to eat will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 3-7 days.
- (6) Inmates who have forged the receipt for a purpose of stealing other inmates' money will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 3-7 days.
- (7) Inmates who have privately connected power sources in cells or workshops for the purpose of cooking will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 3-7 days.
- (8) Inmates who have participated in an action of gang formation or attempted an unlawful action will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 3-7 days.
- (9) Inmates who have tried to foment troubles by spreading rumors, or to create disputes, or to frame someone up, or to spread malicious calumny about other inmates will be

punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 3-7 days.

- (10) Inmates who have asked for or forced outside suppliers to sneak in and out any letters or contrabands will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 3-7 days.
- (11) Inmates who have sold cigarettes at higher prices to make a profit will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 7 days.
- (12) Inmates who have sold, possessed or passed over the radios, T.V. sets, or language translators that are not operated by a regular battery (No.3 or No.4) will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 3-7 days.
- (13) Inmates who have incited or instigated other inmates to offend the prison rules will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 3-7 days.
- (14) Inmates who have damaged public properties or working materials intentionally will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 3-5 days.
- (15) Inmates who have occupied, possessed public properties or other inmates' belongings will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 3-5 days.
- (16) Inmates who have passed notes or asked other inmates to pass for him will be punished with a reprimand, suspension

of visit for 1-3 times and suspension of outdoor activity for 3-5 days.

- (17) Inmates who have changed room without permission will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 3-5 days.
- (18) Inmates who have made noises or shouts in the cells or workshops will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 3-5 days.
- (19) Inmates who have not complied with the living regulation of workshop or cell will be punished with a reprimand, suspension of visit for 1-3 times.
- (20) Inmates going to cell or workshop must be duly filed, and those who have laughed and joked around will be punished with a reprimand, suspension of visit for 1-3 times.
- (21) Inmates who have sent a letters without permission or the content in the letter offends the prison reputation will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 1-3 days.
- (22) Inmates who have sent a letter by using another inmate's mailing quota or have other inmates send his letter with a fake name will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 1-3 days.
- (23) Inmates who have pretended to be sick on purpose to visit a physician or have kept extra medicines will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 1-3 days.

- (24) Inmates who have been involved in a quarrel or fight will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 1-3 days.
- (25) Inmates who have taken other inmates' food by force will be punished with a reprimand, suspension of visit for 1-3 times and suspension of outdoor activity for 1-3 days.
- (26) Inmates who have not smoked at assigned places or times will be punished with a reprimand, suspension of visit for 1-3 times.
- (27) Inmates who have not smoked at assigned places or times will be punished with a reprimand and suspension of visit for 1-3 times.
- (28) Inmates who have bared his/her body and not accepted advice from prison guards will be punished with a reprimand and suspension of visit for 1-3 times.
- (29) Inmates who have not slept in a place assigned will be punished with a reprimand and suspension of visit for 1-3 times.
- (30) Inmates who have possessed any type of mirror or reflector for watching the officers' movement will be punished with a reprimand and suspension of visit for 1-3 times.
- (31) Inmates who have damaged the public hygiene or environment will be punished with a reprimand and suspension of visit for 1-3 times.
- (32) Inmates whose personal belongings are in a condition of filth and disorder will be punished with a reprimand and suspension of visit for 1 time.

(33) Inmates who have consumed water improperly will be punished with a reprimand and suspension of visit for 1 time.

7. Disobeying prison discipline

(1) Inmates who have insulted, harassed, threatened or attacked the prison personnel will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 7 days.

(2) Sufficient evidence against an inmate that indicates that he/she has an intention to attack prison personnel will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 7 days.

(3) Inmates who have disobeyed the prison discipline will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 7 days.

(4) Inmates who have lodged a false accusation or misused accusation against the correctional personnel will be punished with a reprimand, suspension of visit for 3 times and suspension of outdoor activity for 7 days.

Remarks

1. Punishments for rule violations are designed and regulated to avoid misconceptions that may be caused by any accidentally unjust process. Punishments are regulated in accordance with the **Law of Execution in Prison** and comprehend several pragmatic ideals and conditions. Therefore, the conditions for each of the punishments should be kept clear in each inmate's mind.
2. A comparison of similar punishments shall be made before a punishment is executed if a rule violation is not in the aforementioned categories. In cases for which there is no similar example, the punishment shall be executed, objectively, and according to the severity of the violation.
3. If punishments are suitable for two or more types of violations, then the punishment shall be selected and executed according to the severity of the violation.
4. If an inmate violates a rule again within 30 days and has showed no regret and has a bad attitude, then he/she will be obliged to do labor, or will be suspended from purchase of articles, or his/her labor remuneration will be reduced.
5. Punishments of minor violations can be suspended only on condition that inmates show repentance; the reasons for suspension shall be stated in the officer's report.
6. In the case of severe rule violations, if an investigation happens to be necessary, the records of the investigation must be kept on files in case criminal prosecution is necessary.
7. Applying a constraining device, or placing an inmate in a solitary confinement, or strapping an inmate down in order to protect him, are all in accordance with the law. However, in all cases of severe punishments, the reasons for their use must be explained clearly in the punishment report.