



Dienststelle Militär, Zivilschutz und Justizvollzug

Justizvollzugsanstalt Wauwilermoos

6243 Egolzwil

Telefon 041 984 24 44

Telefax 041 984 24 45

wauwilermoos@lu.ch

www.wauwilermoos.lu.ch

House Rules

Deportation Facility Wauwilermoos (CF Wauwilermoos)

from 15th June 2016

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1 Fundamentals

1.1 Legal fundamentals

The following provisions are oriented towards the norms of the European Human Rights Convention and are based on the Federal and Cantonal Law. The persons institutionalised in detention under the Law on Foreign Nationals have to be separated from those imprisoned in the CF Wauwilermoos due to other reasons.

1.2 Scope of application

The House Rules apply for the enforcement of administrative detention under the Law on Foreign Nationals.

The directorate can define the House Rules in detail by additional provisions. In special situations the directorate can give instructions deviating from the House Rules with approval of the direction of the Department of Military, Civil Protection and Law Enforcement (MCL). The Justice and Security Department (JSD) of the Canton of Lucerne has to be informed about such cases. The directorate is deciding in areas, which are neither definitely regulated in the superordinate legal amendments nor in the House Rules or provisions.

1.3 Purpose

In the Deportation Facility the detention pending deportation, in preparation for departure or coercive detention enacted by the migration authority is performed.

The Deportation Facility is a resort division of CF Wauwilermoos in the Department of Military, Civil Protection and Law Enforcement. The director of the Correctional Facility Wauwilermoos is managing it. The supervisory authority of the Deportation Facility Wauwilermoos is the Justice and Security Department of the Canton of Lucerne.

1.4 Organisation

The directorate (the director):

- is leading the facility and is externally representing it;
- bears the overall responsibility;
- is responsible for an efficient and cost-effective facility operation compliant with fundamental rights and meets the necessary requirements therefore;
- defines the responsibilities within the facility;
- is issuing directions which are supplementary to the House Rules.

The facility is divided into the areas of Enforcement, Security & Infrastructure, Operations and Administration. The Deportation Facility is integrated in the area of Security & Infrastructure. The area managers form the facility management together with the directorate. They support and consult the directorate in fulfilling their tasks. The directorate is allowed to delegate their competences and tasks to individual employees.

The supervisors are representing the directorate outside ordinary working hours and are responsible for the control and monitoring in the entire facility. The supervisors are taking decisions in special situations, if necessary after consultation with the directorate.

1.5 Employees

The employees accompany and supervise the institutionalised persons during their detention time. They are authorised to give institutionalised persons instructions. They deal with institutionalised persons in an objective and respectful manner. They are not allowed to conclude legal transactions with the institutionalised person, in particular it is prohibited to order work or services for private purposes.

2 Rights and obligations

2.1 General

The institutionalised person has the right that his personality and human dignity is respected. His constitutional and legally defined rights shall only be limited in a way the deprivation of liberty and life together in the facility require. Limitations have to be reasonably proportionated to the aim pursued.

At the same time the institutionalised person has to comply with the provisions of the House Rules and needs to follow the directions of the employees at any time. Each institutionalised person has to act in a respectful and correct way towards employees, other institutionalised persons and any other person in the facility area. Institutionalised persons have to refrain from any actions that may hinder the correct conduct of the enforcement as well as the maintenance of safety and order in the facility.

The institutionalised person is obliged to treat the facility furniture, amenities, devices, materials and produced goods as well as effects and clothes carefully. Intentional and grossly negligent damages, impermissible manipulations as well as losses can lead to liability for damages (payable from the free or, if necessary, blocked account) and disciplinary measures. The institutionalised person has to report damages to property immediately.

All institutionalised persons need to behave in a way that other institutionalised persons are not impeded in their needs for peace and privacy in daily community life. Shouting out of windows is prohibited.

In case of important exceptional events the referring authority is immediately informed.

2.2 Personal discussion

Every institutionalised person has the right to request for a personal discussion with the resort management of the Deportation Facility. In case this discussion is not satisfying for the institutionalised person he can demand a discussion with the directorate.

2.3 Surveillance appeal

The institutionalised person has the right to complain about the general facility operations or inappropriate treatment by the personnel or the facility management. Complaints concerning the facility organisation or the facility personnel need to be directed in writing and in the official languages German, French, Italian or English to the directorate. Complaints about the directorate have to be directed to the Department MCL of the Canton of Lucerne¹ in writing.

Health and accident insurance

All costs (prescription medicine, doctor and dentist bills, hospital costs etc.) are forwarded to the referring authority for settlement. In case of refunds they are credited to the institutionalised person.

During the time in the Deportation Facility of CF Wauwilermoos the institutionalised person has an accident insurance covered by the referring migration authority.

¹ Address: Department MCL of the Canton of Lucerne, Murmattweg 8, 6000 Lucerne 30.

3 Admission and entry

3.1 Admission

The admission to the Deportation Facility takes place on the basis of a detention order of the competent migration authority.

3.2 Entry procedure

With the entry in CF Wauwilermoos the identity and personal effects are controlled and the institutionalised person is body-searched. Additionally a photo is taken.

Effects

Objects which are prohibited in the facility or which are dangerous as well as identity documents such as passports, identity cards, foreign passports, driving licences etc. are stored until the institutionalised person is released or transferred to another facility. A registry is maintained for all objects that have been confiscated, which needs to be signed by the institutionalised person and the respective employee. Changes in the effects storage need to be regularly updated. CF Wauwilermoos is only liable for stored objects.

Cash

Cash brought along is taken over against receipt and credited to the personal account. In case of transfer from one prison or facility to another the transfer is also arranged to the personal account. If the institutionalised person has no money for buying objects of daily use he receives an entry set with toiletries free of charge.

Rejection and selling of objects

Excessively extensive luggage or objects, for which the storage would cause special efforts, can be rejected, stored at the expense of the institutionalised person or sent back. In case the rejection or storage of objects is not possible they can be sold to the benefit of the institutionalised person. Unsellable objects will be disposed.

The House Rules of the deportation detention and the supplementary directions to the House Rules (**SDHR** / EWHO) are available in the rooms or prominently displayed.

3.3 Notification

The institutionalised person has the right to inform his relatives and other caring persons about his detention.

3.4 Moving into the room

When entering, the institutionalised person receives the facility effects and is usually accommodated in a two-bed room. The room inventory is standardised.

3.5 Entry conversation

The institutionalised person is informed about the applicable House Rules and the related directives on arrival at the Deportation Facility. For institutionalised persons that receive the House Rules and directives in a language that is not understandable for them, no disadvantages shall occur; actions and omissions whose illegality and/or breach of duty is understandable for everyone are reserved (e.g. threats, assaults, noncompliance with personnel instructions etc.).

3.6 Health check

Each institutionalised person is questioned by means of a health survey about any health impairments. On demand the health service or facility doctor is called by the support personnel in reasonable time.

4 Accommodation, finances and leisure time

4.1 Agenda

The directorate is defining the agenda with appropriate instructions. It can make dispositions at any time, if operational reasons require doing so.

4.2 Meals

The institutionalised person receives three meals per day. Special requests basing on ideology or religion are considered as far as possible. Dietary or special meals are prepared according to doctor's prescriptions. The meals are basically eaten in the rooms.

4.3 Room

The institutionalised person is allowed to individually adjust his room according to the room order. The marking of the door must not be removed or covered. The room has to be arranged in a clear and organised manner. Depictions or objects that offend against morals and propriety or are potentially suitable to disturb the facility's organisation are removed. The institutionalised person needs to clean his room regularly and the bed needs to be made daily. The waste bins have to be used for waste disposal. The room order is regularly controlled.

TV/radio

The TV/radio device provided by the facility needs to be operated at room volume or on demand also with headphones. In case of noncompliance the device may be withdrawn.

Intercom system

Each room is equipped with an intercom system. The institutionalised person can therewith contact the central office. Vice versa the central office can reach the institutionalised person. The intercom system must not be used unnecessarily. The misuse of the intercom system may be subject to disciplinary action.

4.4 Community rooms

The community rooms and their furnishings are usually freely accessible during the cell opening times. For reasons of hygiene barefoot walking in the corridors and community rooms is prohibited. The cleaning of the community rooms is up to the institutionalised persons responsible for housekeeping.

4.5 Clothing and linens

During detention the institutionalised person is wearing his own clothes. In case an institutionalised person has no appropriate clothing he receives it from the facility management. The internal laundry washes the used personal clothes and bed linens. During the prescribed day times the institutionalised person needs to be sufficiently dressed to be available for walks, interrogations, visits and work at any time and without delay.

4.6 Personal hygiene

The institutionalised persons are obliged to regularly care for their body hygiene. The showers are available for the institutionalised persons during the defined times. In case of bottlenecks the showering opportunity can be timely limited. For hair cutting and shaving suitable equipment is made available for the institutionalised persons.

4.7 Finances

For institutionalised persons the possession of cash is forbidden during the detention time. For each institutionalised person a personal account is kept by the facility. The institutionalised person receives a settlement on demand.

Personal account

Institutionalised persons pay their personal expenses such as stamps, kiosk purchases, copies, non-prescription medication, TV rent as well as repairs of damaged cell inventory (TV

set, clothes etc.) or immovables (walls, doors etc.) as well as costs for positive hair and urine samples and alcohol tests and investigation requests from their personal account.

The credit on the personal account is also intended for the time after release from prison. The directorate decides about payouts for justified, written requests. Furthermore the directorate has the right to deduct the costs of doctor and dentist bills as well as other health costs from the personal account if no other cost bearer is available.

Payments

Payments of relatives and friends have to be made to the defined account of CF Wauwilermoos or can be payed in directly in cash against receipt. Letters with cash are retained and the money is credited to the account of the institutionalised person. The directorate can use the money for any deficits.

Money transfers

Money transfers and handovers from the personal account can be granted on request, if the total sum of the account amounts at least CHF 1,000.- after the deduction of any outstanding invoices and the desired payout amount. No transfers to other institutionalised persons are made.

Kiosk purchases

In case of sufficient financial means the institutionalised person receives the opportunity to purchase goods from the kiosk once a week.

4.8 Organisation of leisure time

During leisure time the institutionalised persons can stay in the accommodation area or in the defined rooms. The institutionalised person is eligible for a daily walk of at least one hour. The directorate decides which objects can be taken to the walking yard.

Leisure offers

In the community rooms different board games are available for the institutionalised persons.

Library

The facility offers a library where institutionalised persons can lend out information or reading material. The institutionalised person is allowed to have a limited number of personal books in the room.

Personal reading material

The institutionalised person is allowed to bring along own books and magazines. The allowed quantity of reading material might be limited due to security reasons. Publications that contain illegal information, threaten the facility safety or are suitable to cause or increase tensions among the institutionalised persons are prohibited.

TV sets

TV sets can be rented for an appropriate fee from the facility. The respective authorisation can be waived at any time for an indefinite period, if the institutionalised person is violating the House Rules. Damages lead to compensation obligations and disciplinary measures.

5 Work, training and further education

5.1 Opportunities to work

The institutionalised person can be offered a suitable work basing on the operational possibilities. In case the engagement of an institutionalised person willing to work is impossible, a compensation is credited for each working day. The daily schedule and working times have to be strictly adhered to. The facility management can decide that an institutionalised person needs to be locked up in the room for reasons of security or occupational pedagogical considerations.

5.2 Work remuneration

The work remuneration is calculated basing on the performance principle and credited weekly to the personal account of the institutionalised person. In case of arrest, intentionally caused incapability to work, lazy behaviour or lock-ups in the room no remuneration is granted. In cases of loss of working capacity due to illness or accident and for unintentional unemployment the facility management decides about the remuneration amount.

6 Contact to the outside world

6.1 Visits

Visits have to be authorised by CF Wauwilermoos in advance. Visitors have to comply with the applicable provisions and instructions of the employees, need to prove their identity by presenting an official identification document and must undergo requested controls. Juveniles up to 16 years are only allowed for visits together with an adult accompanying them. No personal effects can be taken to the visitor room.

If there are concrete indications of an endangerment of safety or escape assistance the visit can't take place. Any breach of the visitor regulations results in the immediate termination of the visit. In case of suspicion of misuse the institutionalised person might be body searched after the visit. A visiting ban might be decreed. Additionally disciplinary measures against the institutionalised person remain reserved.

Official and occupational visits

The institutionalised person is allowed to receive visits from officials, legal representatives, pastors and mandate holders in official or occupational function. These visitors need to announce their visit in advance in order to arrange an appointment and make a reservation of the visiting room for this date and time. The official visiting hours apply. These visits are usually not supervised.

Private visits

An institutionalised person can receive visits of relatives and third parties depending on the possibilities of spatial and organisational circumstances. The visits exclusively take place in the visiting room. Money presents of visitors need to be handed over to the personnel against receipt with reference to the institutionalised person. They are credited to the personal account of the institutionalised person.

Inmates of CF Wauwilermoos are not permitted as visitors. Former inmates of CF Wauwilermoos, CF Grosshof and the Deportation Facility Wauwilermoos are not permitted as visitors, unless they are in close family relationship with the institutionalised person.

6.2 Telephone and Fax

For telephone calls unmonitored telephone sets are available at the institutionalised person's own costs. The directorate is authorised to limit the time of telephone conversations out of consideration for other institutionalised persons or is allowed to restrict or prohibit the communication via telephone in case of justified suspicion of misuse. Telephone calls from the outside world can't be forwarded. Telephone messages are only forwarded in particularly urgent cases.

The telephones can be used during leisure time. The tax card required for telephone calls can be purchased at the kiosk, if the institutionalised person has sufficient financial means on the personal account. The duration of telephone calls shall be limited to a reasonable extent out of consideration for other institutionalised persons.

In case the institutionalised person has no financial means telephone calls for arranging identification documents, requests at the competent migration authority and contacting a legal representative are granted.

No faxes can be sent or received, except for the communication with authorities, courts and aid organisations defined by the directorate.

6.3 Letters and parcels

The receipt and shipping of letters is possible without restriction, provided that the institutionalised person possesses the necessary financial means. The entire outgoing mail has to be stamped and provided with the sending details of the respective institutionalised person. Letters that are sent from authorities to individual institutionalised persons are handed out against receipt. Mass mail of begging letters is not forwarded.

The received and sent mail is checked for its content. The correspondence with legal representatives and authorities is excluded from these control measures. In case an inadmissible content is detected it is added to the institutionalised persons effects, handed over to the police or it is disposed. In case of abuse the mail correspondence is limited or inhibited.

Institutionalised persons can send and receive parcels at their own expense. Parcels must not contain any prohibited items or substances. CF Wauwilermoos controls the incoming and outgoing parcels. It can limit the number and volume of parcels.

The correspondence with institutionalised persons in other imprisonment facilities is prohibited.

7 Assistance, therapy and pastoral care

7.1 Support organisations

The institutionalised person has the opportunity to be in contact with accepted support organisations. The directorate decides which support organisations are admitted.

7.2 Pastoral care

Pastors of the Roman-Catholic and Reformed Regional Church as well as an Imam, if possible, visit the facility regularly. They are available for conversations with institutionalised persons. For institutionalised persons relating to other religions the contact to representatives of their belief is established on demand, if possible.

8 Medical care

8.1 Reporting obligation concerning accidents and diseases

All diseases and accidents need to be reported immediately to the personnel on duty.

8.2 Health prevention

CF Wauwilermoos promotes health prevention concerning infectious diseases (HIV / AIDS, hepatitis etc.), drugs, alcohol, nicotine and nutrition. The persons responsible hand over information material on demand. If needed, also personal assistance is available.

8.3 Medical attendance

The medical attendance is arranged by the health service, the facility doctor and on demand also by the facility psychiatrist. The facility doctor is available during the consultation hours once a week. The institutionalised person needs to inform the support personnel immediately in case he feels sick. The supporting personnel are forwarding the information to the health service, which initiates the required treatment and refers the institutionalised person to the facility doctor, if necessary. In urgent cases the immediate medical care is guaranteed.

In case of diseases, accidents or medically prescribed work dispensation the area of movement of the institutionalised person might be limited. The directorate is managing the details.

Treatments by private and specialised doctors

The institutionalised person needs to strictly adhere to the issued requirements, if medical treatments need to be performed outside of CF Wauwilermoos. Treatments of private and specialised doctors are only arranged at the order of the facility doctor or psychiatrist. Private and specialised doctor treatments (homoeopathy, alternative medicine etc.) are only allowed with the respective coverage of costs and can't be freely selected.

Psychiatric therapy

In critical situations the directorate or the supervisors outside ordinary working hours can consult the facility psychiatrist. The health service or the facility doctor is deciding about the necessity of consultation.

Admission to hospital or clinic

The facility doctor or psychiatrist is deciding about the admission to a hospital or clinic in agreement with the directorate. The referring authority is informed as soon as possible. Except in cases of emergencies the confirmation for the coverage of treatment costs needs to be available before an admission to a hospital or clinic is performed. The admission is always performed under police supervision.

Dental treatment

Dental treatments are only arranged if they can't be postponed and are considered as being necessary. The facility dentist is performing the dental treatments. Analgesic dental treatments are performed as fast as possible. The treatments take place in the facility doctor's practice. The admission is always performed under police supervision.

The costs are charged from the personal account, unless another cost bearer is present. Proceeding dental treatments are only performed if the financing is assured.

The facility dentist is deciding in agreement with the directorate about the admission to a hospital, clinic or specialised dentist. Despite from urgent cases a confirmation of cost coverage has to be available before the treatment is conducted.

8.4 Medication

Only those medicines are allowed, which have been delivered or approved by the facility's health service or doctors. The medication needs to be taken under supervision. Medication that has been brought along at entry or has been sent subsequently is only forwarded to the institutionalised person with approval of the facility doctor or psychiatrist.

8.5 Medical records

The institutionalised persons' medical histories and other medical documents are archived for at least ten years. The facility doctors assure that no unauthorised persons have access to these documents.

9 General prohibitions

9.1 Weapons and weapon-like objects

The bringing and receiving, producing and holding as well as the passing on of weapons and weapon-like objects or items suitable for use as a dangerous weapon are prohibited.

9.2 Illicit substances, alcohol and medication

The bringing and receiving, producing, trading, financing and consuming of illegal drugs, alcohol or alcoholic stimulants or foods are forbidden during the entire time of administrative detention. This ban also applies for hospital or clinic stays. The possession or consumption

of medications not prescribed by the facility doctor or psychiatrist is also prohibited during the entire time of administrative detention under the Law on Foreign Nationals.

9.3 Smoking

Smoking in closed rooms of the Deportation Facility is prohibited. The institutionalised person is only allowed to smoke in his room and in the walking yard.

9.4 Pornography / depictions of violence

The possession of writings, recordings and images as well as other media or objects containing sexual acts with children or with animals, human excrements or acts of violence are prohibited.

9.5 Communication and data transmission devices

The possession and use of private mobile phones, pagers, radio equipment as well as other communication and data transmission devices are prohibited.

9.6 Electric and electronic devices

It is prohibited to own sound reproduction devices, communication equipment such as telephones etc. and other electric devices.

9.7 Conducting business, betting, gambling and dexterity games

It is prohibited to trade among institutionalised persons. It is illicit for institutionalised persons to conclude legal transactions with employees or to perform services for them. Betting, gambling and dexterity games for money or material assets are prohibited as well. No lottery and pool tickets are accepted for submission and payment.

9.8 Propaganda

Any kind of propaganda is prohibited on the entire facility area. This also includes visible or audible political signs or contents.

9.9 Ban on areal access

Unauthorised persons are generally prohibited to enter the facility area.

10 Security and coercive measures

10.1 Controls and searches

The directorate can organise controls of persons, rooms or objects at any time. In particular announced and unannounced hair, urine and blood samples as well as breathing air controls, body searches and controls of body orifices can be prescribed. A doctor is performing the intimate body searches (rectal examination, ultrasound scan). The refusal of controls and/or searches as well as a positive test of hair, urine and blood samples, breathing air or other tests are sanctioned. In case an examination shows a positive result the institutionalised person has to pay for the examination costs.

10.2 Visual monitoring and recording of telephone calls

The directorate can decide which rooms and areas within the facility are visually monitored.

10.3 Identification measures

The directorate may request for identification measures such as the obligation to give fingerprints, taking photographs etc. and on demand the results are also forwarded to the police.

10.4 Special security measures

The directorate may organise special security measures for certain institutionalised persons, if their behaviour or psychological condition is holding increased risks of flight or the endan-

germent of self, others or any objects. In particular the following special security measures are permitted:

- a. Withdrawal or withholding of objects;
- b. Day and night monitoring;
- c. Separation from other institutionalised persons;
- d. Temporary limitation of contact to the outside world;
- e. Cancellation or limitation of outdoor access;
- f. Accommodation in especially protected rooms without dangerous objects;
- g. Shackling.

The measures may only be used as long as a compelling reason exists. The concerned person may raise a complaint at the JSD against the ordering of a special security measure within 20 days.

10.5 Hunger strike

The personnel on duty are informing the directorate if an institutionalised person is fasting in protest or is refusing to eat and drink. The facility doctor informs the institutionalised person about the risks of longer fasting periods for several times. In case of linguistic communication problems a translator or other support person is consulted.

Despite the expressed intention of the institutionalised person three meals are offered per day. The access to beverages always needs to be assured.

The directorate instructs the facility psychiatrist and a second forensic psychiatrist with assessing and eventually confirming the institutionalised person's competence to judge. In case the competence to judge is confirmed the institutionalised person might confirm in a patient decree that he expressly rejects force-feeding, although his fasting might lead to his death. The measures need to be chronologically and completely documented.

11 Disciplinary law

11.1 Disciplinary offence

Those institutionalised persons breaching the House Rules, superior decrees or obligations of the facility management or employees contrary to their duty or those hindering the facility operation in another way are disciplinary punished by the directorate. Attempts or inciting of committing a disciplinary offence as well as the assistance therefore are also punishable.

The criminal prosecution of institutionalised persons is expressly reserved. In particular the following actions are classified as severe disciplinary offences:

- a. Flight and appropriate attempts and preparation actions;
- b. Threats and attacks on the physical, psychical or sexual integrity of personnel, fellow institutionalised persons or visitors;
- c. Illegal interferences with assets belonging to others;
- d. Insubordination or defeat, circumvention or falsification of controls;
- e. Property damage of furniture and immovables;
- f. Receiving and sending, brokering and possessing illicit objects such as weapons and the like;
- g. Receiving and sending, possessing and consuming alcohol, drugs or substances with similar effects as well as abuse of medication;
- h. Illicit contact with institutionalised persons of CF Wauwilermoos and persons outside the facility;
- i. Illicit use of electronic communication devices, entertainment electronics, hardware and software and storage media;

- j. Serious disturbances of peace and order, operations, daily agenda or work operation in the facility and
- k. Repeated simple disciplinary offences.

11.2 Disciplinary sanctions

The facility management is authorised to impose the following disciplinary penalties:

- a. Reprimand;
- b. Limitation or withdrawal of the TV set for up to two months;
- c. Limitation or withdrawal of visit, telephone and correspondence rights without prejudice to the right to communicate with the legal representative or authorities for up to two months;
- d. Fine;
- e. Exclusion from work for up to one month;
- f. Arrest for up to 10 days.

The sanctions may be given individually or in combination. When deciding for disciplinary measures the severity of offence, severity of injury or risk of safety, order and proper community life in the facility as well as the personal condition of the institutionalised person and the sanction's influence on the resocialisation are considered. In repeated cases the disciplinary sanction may be increased. The disciplinary sanction is time-barred six months after committing the disciplinary offence. The enforcement of disciplinary sanctions is time-barred six months after the legally valid order.

Arrest

The arrest is usually served in an arrest cell of CF Wauwilermoos. During arrest the institutionalised person receives no gifts, is not allowed to purchase any items or to make phone calls and can't be visited. He remains excluded from work, leisure activities and events. The contact with a legal representative, a pastor and the facility doctor remains reserved. From the second day on the institutionalised person has the right to stay at a place approved by the directorate for at least one hour daily. He walks alone during the time of arrest enforcement. No work remuneration is credited. The institutionalised person is supervised in an adequate manner.

Penal execution

The officially decreed disciplinary fee is charged directly from the institutionalised person's account.

Withdrawal of illicit objects

Contraband and objects, substances and financial assets, whose possession is prohibited in the facility, that have been acquired by means of disciplinary offence or with which a disciplinary offence has been conducted or which have been intended for committing a disciplinary offence are withdrawn without compensation. They are disposed, sold, forwarded to the police or stored with the other effects of the institutionalised person, depending on the type of object. In case of a sale the revenue is forwarded to a charitable organisation offering support for offenders and their relatives.

11.3 Disciplinary proceedings

Before imposing a penalty the institutionalised person has the opportunity to submit his view of the matter and to claim any justifications (§ 42 Para. 1 Reg. a of Law Enforcement Act). The facility management is informing the institutionalised person orally about the sentence and confirms it in writing with a disciplinary decree. The institutionalised person is signing a receipt confirmation and is handed over the disciplinary decree; a copy is filed and another copy is forwarded to the referring authority. The date of enforcement is recorded.

11.4 Legal protection

The punished person may file a complaint at the facility management for the attention of the JSD of the Canton of Lucerne (§ 42 Para. 1 Reg. a of Law Enforcement Act) within five days after receiving the disciplinary decree. The facility management is obliged to immediately forward the complaint to the JSD of the Canton of Lucerne. The complaint has no suspensory effect, unless explicitly stated otherwise by the JSD. Within 20 days the concerned person may file an administrative appeal at the Cantonal court against the decision of the JSD.

12 Release or transfer

12.1 General

If necessary the directorate can request the transfer of the institutionalised person from the competent authority:

- due to safety or disciplinary reasons;
- due to medical reasons;

12.2 Release procedure

The release is performed on request of the referring migration authority. Before the release is conducted the institutionalised person has to return all facility effects. Missing or damaged facility effects are registered. The cell, which has been cleaned by the institutionalised person before, is thoroughly examined for any damages of the cell and its furniture. In case of necessary subsequent cleaning CHF 80.00 are charged. In case of necessary eviction CHF 200.00 are charged. At release the institutionalised person is confirming the receipt of his effects, identification documents and valuables.

Transfer

In case the institutionalised person is transferred, the existing documents are forwarded to the new correctional facility. CF Wauwilermoos subsequently delivers personal effects, which can't be transported with the institutionalised person. The transportation costs of subsequently delivered effects are charged to the institutionalised person's account.

Release after escape

In case of an escape the found objects and effects are collected and stored by the employees. The effects of escaped institutionalised persons can be sold after one year, unless the institutionalised person's abode is known. The directorate is not obliged to actively investigate concerning the institutionalised person's residence.

Effects, identification documents or money are sent, transferred or handed over neither to the institutionalised person nor to his legal representative or any individuals.

12.3 Usage and payment of working remuneration

At release the directorate is deciding at its own discretion if the institutionalised person receives the remaining credit on his personal account in total or partially or if it is forwarded to the institutions of the migration authority, successor organisation or another suitable authority for proper use. In particular the following may be charged:

- Open doctor bills and health costs;
- Costs for missing or damaged effects;
- Costs for damages of furniture and room immovables.

The institutionalised person confirms the validity of the final statement with his signature.

In case of re-entrance within five years any depreciated deficit sums are charged.

13 Final provisions

This House Rules are translated into different languages. In case of doubt the wording of the German version applies. These House Rules come into force on 1st July 2016. The House Rules from 20th October 2010 are replaced thereby.

Egolzwil, den 16. Juni 2016



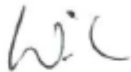
Felix Föhn
Direktor der Justizvollzugsanstalt Wauwilermoos

Luzern, den 16. Juni 2016



Dr. iur. Stefan Weiss
Dienststellenleiter Militär, Zivilschutz und Justizvollzug

Luzern, den 16. Juni 2016



Paul Winiker
Vorsteher des Justiz- und Sicherheitsdepartementes des Kantons Luzern