

What Rights Do Utah Inmates Have While Incarcerated?

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Recently, the ACLU of Michigan filed a federal lawsuit concerning the alleged inhumane treatment of female inmates in Muskegon County Jail. The Michigan suit claims physically unsafe conditions, degradation by allowing male guards to watch the women shower, change clothes, and use the restroom. The complaint also alleges that women were denied access to basic sanitary items such as toilet paper, clean underwear, and feminine hygiene products,

Londora Kitchens, one of the plaintiffs' in the lawsuit, pointed out that she knew she had broken the law which garnered jail time, "However, nobody deserves to be forced to live like an animal and be treated like one. We are women deserving of basic respect, sanitary conditions, bodily privacy, and simply to be treated like the women we are." This brings us to the topic of inmate rights. What (if any) rights do inmates have while they are incarcerated? We don't have time to discuss all inmate rights in this blog, but let's talk about a few main rights.

What Rights Do Inmates Have?

While some [inmate rights](#) may vary slightly from state to state, federal law guarantees basic human rights to all inmates under the United States Constitution of America. Inmates in Utah have [inalienable rights](#) that must be upheld through the entire legal

process, from pretrial detainment to conviction, and incarceration, should that occur. We should also mention that inmate rights are different than inmate privileges.



Pretrial Detainees

Pretrial detainees are afforded the same human rights that any inmate is privy to. The intake process and screening should be done in a timely manner, which assures the detainee of proper medical and mental health assessments. Officials must take into account, the detainee's age, vulnerability, and special needs when choosing housing. Single-cell occupancy should be given if the detainee is not deemed safe among other inmates. The detainee is entitled to a clean, safe, environment that allows visitation and recreational activities. Any detainee with special needs is entitled to proper care.

Inmates Have the Right to Be Free from Cruel and Unusual Punishment

Inmates are afforded the right to be free from any cruel or unusual punishment. When a person is incarcerated, the incarceration is the punishment for the crime they committed, there cannot be further punishment by guards or other prisoners. No torture, abuse, or degradation is legally allowed to occur.

Inmates Have the Right to Nutritious Food and Exercise

Inmates are also guaranteed by the law to adequate nutrition, healthful food, which is palatable. Inmates are entitled to at least one hot meal per day. Any inmate with special dietary needs has the right to have their dietary needs met. All food must be prepared in a sanitary way.

Inmates are entitled to exercise outdoors for a minimum of one hour per day if weather permits. Inmates have the right to adequate time out of their cells each day for recreational purposes, as well as time to maintain their health.

Inmates Have the Right to Be Free from Sexual Harassment

All inmates have the right to be free from sexual harassment from not only other prisoners but guards as well. This includes more than sexual aggression and includes sexual innuendo, suggestions, or any type of sexual harassment.



Inmates Have the Right to Voice Complaints and Access to the Courts

All inmates also have the right to voice any complaints they may have against the jail or prison where they are housed. Inmates have this right without the fear of reprisal. Inmates have the right to have access to the courts to voice any complaints as well.

Disabled Inmates Rights' Are Protected by the American's with Disabilities Act

Disabled inmates are protected by the Americans with Disabilities Act. A disabled inmate must be given adequate medical attention according to their needs, as well as the adequate housing and access to all facilities that other inmates have access to.

Inmates Have the Right to Adequate Medical and Mental Health Care

All inmates are entitled to adequate medical and mental healthcare. This includes continued care, checkups, and emergency care. If special medical treatment is required, inmates have the right to receive such care, including dental care without being charged a fee. Geriatric, female inmates, inmates under the age of eighteen, and inmates with disabilities are entitled to treatment sensitive to their needs when possible.

Inmates Have the Right to Freedom of Speech

Inmates have the right, just as any American, to freedom of speech which is protected under the First Amendment, just as freedom of religion is protected. Inmates may exercise this right to the extent that it does not interfere with their status as an inmate. For instance letters may be written and received, without fear of reprisal if an inmate expresses views on prison life or prison staff.

Inmates Have the Right to Be Free from Discrimination

Inmates also have the right to be free of any kind of discrimination while incarcerated. This includes discrimination due to age, religious beliefs, sexual preferences, disability, or racial segregation.

Inmates Have the Right to Privacy

Inmates also have the right to an appropriate degree of privacy when using the restroom, showering, and any other situations where a degree of privacy would be expected. There are exceptions to this in prison, however privacy is to be observed whenever possible.

Inmates Have the Right to Organize

Inmates also have the right to organize in prison for many purposes. One of which, is to demand changes in the prison if problems in living conditions, healthcare, or inmates rights are being violated. Inmates have this right as well as the right to be free from reprisal for doing so.

Inmates Have the Right to Be Notified of Disciplinary Action

Inmates also have the right to know what type of conduct warrants disciplinary action. All rules and regulations should be made available to the inmate in a handbook or in a way that may be reviewed if needed.

Knowing your rights is the best way to protect them. If you have been arrested, [Bad Boys Bail Bonds](#) makes sure that you don't have to spend any more time in jail than you have to. At Bad Boys, we believe you're innocent until proven guilty and we treat you that way.

We hope you never need us, but if you do we're here for you 24/7. If you or a loved one needs a great bail bond company, you've just found it.