Admission and Orientation

A Manual for Pre-Trial Inmates



GENERAL INTRODUCTION

As you were received at this facility, you were given a Federal Register Number which will identify you as long as you are in federal custody. That number is commonly known as your "number" or "reg. number." It is imperative for you to provide your family and

friends with your number so you may receive correspondence from them while you are in our care. All mail and monies must be identified with committed name and your register number when received at this facility.

Your committed name and register number Metropolitan Correctional Center 150 Park Row New York, New York 10007

You will be screened by a Unit Team member, and given a quarters assignment based on your personal profile and security needs. While in Receiving and Discharging (R&D) you were given a cell assignment. Cadre inmates (inmates designated to serve a sentence at MCC New York) will participate in an Admission and Orientation Program as required by polity. During that program they will receive additional guidance and unit rules that will apply during their stay in the Cadre Unit.

Other inmates, (Holdover, Pre-trial inmates, Material Witnesses and Immigration Detainees) will receive an abbreviated familiarization and welcome to the facility. Rules and Regulations are posted in English and Spanish in all housing units and it is your responsibility to read and follow these rules.

INMATE RIGHTS AND RESPONSIBILITIES

The following list of Rights (thing you can expect to enjoy) and Responsibilities (what the institution expects from you) will provide guidance in developing self-discipline within the Institution and establish the foundation for identification of disciplinary infractions and sanction.

Right:

You have the right to expect that, as human being, you will be treated respectfully, impartially, and fairly by all personnel.

Responsibility:

You have the responsibility to treat other, both employees and inmates, in the same manner.

Right:

You have the right to be informed of the rules, procedures and schedules concerning the operation of the Institution.

Responsibility:

You have the responsibility to know and abide by the rules.

Right:

You have the right to freedom of religion affiliation and voluntary religious worship.

Responsibility:

You have the responsibility to recognize and respect the rights of others in regard.

Right:

You have the right to health care which includes nutrition meals, proper bedding and clothing, a laundry schedule for cleanliness of the same, an opportunity to shower regularly, proper ventilation for warmth and fresh air, a regular exercise period, toilet articles and medical and dental treatment.

Responsibility:

It is your responsibility not to waste food, to follow the laundry and shower schedule, to maintain neat and clean-living quarters, to keep your area free of contraband, and to seek medical and dental care as you may need it.

Right:

You have the right to visit and correspond with family members and friends, and correspond with members of the news media in keeping with Bureau rules and Institution guidelines.

Responsibility:

It is your responsibility to conduct yourself properly during visits, not to accept or pass contraband, and not to violate the law, Bureau rules, or Institution guidelines through your correspondence

Right:

You have the right to unrestricted and confidential access to the courts by correspondence on matters such as the legality of your conviction, civil matters, pending criminal cases, and conditions of your imprisonment.

Responsibility:

You have the responsibility to present honestly and fairly your petition, questions, and problems to the court.

Right:

You have the right to legal counsel from an attorney of your choice by interviews and correspondence.

Responsibility:

It is your responsibility to use the services of an attorney honestly and fairly.

Right:

You have the right to participate in the use of the law library reference materials to assist you in resolving legal problems. You also have the right to receive help when it is available through a legal assistance program.

Responsibility:

It is your responsibility to use these resources in keeping with the procedures and schedule prescribed and to respect the rights of other inmates in the use of materials and peer assistance.

Right:

You have the right to a wide range reading materials for educational purposes and for your own enjoyment. These materials may include magazines and newspapers sent from the community, with certain restrictions.

Responsibility:

It is your responsibility to seek and utilized such materials for your personal benefit, without depriving other of their equal rights to the use of this material

Right:

You have the right to participate in education, vocational training, and employment as far as resources are available and in keeping with your interest, needs and abilities.

Responsibility:

It is your responsibility to take advantage of activities which may help you live a successful and law-abiding life within the Institution and in the community. You will expect to abide by the regulations governing the use of such activities.

SECURITY PROCEDURES

<u>Counts:</u> When a count is announced, each inmate <u>must</u> return to his/her assigned cell, and remain there quietly until it is announced that the count is clear. The staff will take disciplinary action if an inmate is not in his/her assigned area or leaves before the count is cleared. Official counts will be taken at about 12:00 A.M., 3:00 A.M., 5:00 A.M., 4:00 P.M. stand up count and 9:00 P.M. Additionally, a 10:00 A.M. count will occur on weekends and holidays. Other counts occur during the day and evening. The inmate must actually be seen at all counts, even if the inmate must be awakened.

<u>Special Counts</u>: A special count can be called at any time. Inmates should report to their housing unit or work detail, until the count is cleared.

<u>Unit Census:</u> After the work call in the morning and after noon meal, the unit officer is required to perform a census count of his assigned unit. This officer must be presented with inmates' and number during this census. Inmates are to make their presence known to the staff member taking the census to assure proper accountability. If you do not belong in the unit and are discovered during the census, you can receive an incident report.

Institution Lock Down Census: At any time a lock down census may occur and will be announced by staff on the public address system. In such instances, inmates will cease all movement and report to the closest staff member. You will give your name and number to this individual. There will be no movement to or from the area and any call-outs will be rescheduled. When the census is cleared, normal movement resumes.

<u>Emergency Counts / Lock Down</u>: Emergency Counts may be necessary for a number of reasons. When informed of an emergency count, inmates are to follow instructions given by staff immediately and without question.

<u>Out Counts</u>: You may be assigned to a detail where you will be counted outside of your assigned unit. Food Service is an example of a work assignment where (if authorized) you can be out counted. You cannot leave your assigned work area at any time without your work supervisors authorization.

Lock Down: Weekday lock down in pretrial/holdover housing units is at 10:45 P.M. and 11:30 P.M. for the Cadre Unit. On weekends, the Cadre unit will lock down at 2:00 A.M. Extended television viewing hours will be approved only by both the Captain and Unit Manager or by the Warden.

<u>VISITING</u>

Inmates are encouraged to have visits in order to maintain family and community ties. Visitors may be limited on an hourly basis, or other allocation basis to ensure equitable access to visiting facilities.

Holdovers and Pre-Trial inmates may be limited to immediate family on their visiting list.

All visits will begin and end in the visiting room. Kissing, embracing, and handshaking are allowed only on arrival and departure.

Each institution has limits on the number and type of articles that can be taken into the Visiting Room. Typical items that may be taken into the Visiting Room by an inmate are limited to a wedding band, prescription eyeglasses, and religious medal. Items purchased in the Visiting Room may not be brought back into the institution by the inmate.

Visitors must be properly dressed. Short shorts, halter tops, and other clothing of a suggestive or revealing nature will not be permitted in the Visiting Room. Footwear must be worn by all visitors.

CALL-OUTS AND CHANGE SHEET

It is your responsibility to check the call-out sheet daily for appointments or job changes. Call-outs are a scheduling system for appointments (which include Health Services, Dental, Educational, team meetings and other activities) which are posted each day on the unit bulletin boards. Be especially attentive to call-outs since you are a new arrival at the institution. Your job assignment, medical appointments and educational appointments will be appearing on the call-outs as early as tomorrow. If you are listed on the call-out, notify your supervisor. Only the HOSPITAL or the A/W PROGRAMS can excuse you from your work assignment.

<u>SMOKING POLICY</u>

The MCC New York is a non-smoking institution. All matches and smoking materials will be considered to be contraband, disciplinary action will be taken if you are found to possess items mentioned.

CONSULATE TELEPHONE CALLS OR VISIT

Telephone Calls

Submit an Inmate Request to Staff Member to your Unit Team requesting a telephone call to your consulate. Please provide the telephone number for the consulate and the address of the Embassy for verification. The Unit Manager will review your request and advise you if your request is approved. Ordinarily, the calls will be collect calls.

Consulate Visits

Consulates wishing to visit inmates at this institution should make their requests through the Executive Assistant. The Executive Assistant will coordinate the visit with the Unit Team and other appropriate departments.

UNMONITORED LEGAL TELEPHONE CALLS

Requests for unmonitored legal telephone calls should be made by submitting an Inmate Request to Staff Member to your Unit Team. Please provide the telephone number and address of the legal party. Also you must put on the request the reasons why the legal concerns cannot be addressed by the use of legal mail and show an imminent court deadline. Your unit team will review your request and coordinate a "collect call" to your attorney if approved.

POSTAGE STAMP FOR INDIGENT INMATES

An inmate who has neither funds nor sufficient postage and who wishes to mail legal mail (includes courts and attorneys) or Administrative Remedy forms will be provided the postage stamps for such mailing. To prevent abuses of this provision, the Warden may impose restrictions on the legal and administrative remedy mailings. See Program Statement 5265.09, dated: July 9, 1999.

FOOD STORAGE

Food items that are left open create a health hazard. These items must be properly sealed at all times. Empty containers will be disposed of and are not to be used for other storage. The food provided at each institution meal must be consumed or disposed of within 2 hours of being served. If not, it will be confiscated and disciplinary action may result.

SUICIDE PREVENTION

It is not uncommon for people to experience depression and hopelessness while in jail or prison, particularly if they are newly incarcerated, are serving a long sentence, are experiencing family problems or problems getting along with other inmates, or receive bad news. Sometimes, inmates consider committing suicide due to all of the pressure they are under. Staff are trained to monitor inmates for signs of suicide, and are trained to refer all concerns to the Psychology Department. However, staff do not always see what inmates see. If you are personally experiencing any of the problems noted above, or you or another inmate are showing signs of depression (sadness, tearfulness, lack of enjoyment in usual activities), withdrawal (staying away from others, reducing phone calls and/or visits), or hopelessness (giving away possessions, stating that "there is nothing to live for"), PLEASE alert a staff member right away. Your input can save a life.

PROBLEM RESOLUTIONS

Inmate Requests to Staff Member

The Bureau Form BP-Admin-70, commonly called a "cop-out", is used to make a written request to a staff member. Any type of request can be made with this form. "Cop-outs" may be obtained in the housing units from the Correctional Officer on duty. Staff members who receive a "Cop-out" will answer the request in a "reasonable" period of time.

Administrative Remedy Process

The Bureau emphasizes and encourages the resolution of complaints on an informal basis. Hopefully, an inmate can resolve a problem informally by contact with staff members or "Cop-outs". When informal resolution is not successful, a formal complaint can be filed as an Administrative Remedy. Complaints regarding Tort Claims, Inmate Accident Compensation, Freedom of Information or Privacy Act Requests, and complaints on behalf of other inmates are not accepted under the Administrative Remedy Procedure.

Except for DHO Appeals, which are submitted directly to the Regional Director via a BP-10 form, you must first present an issue of concern informally, via a "cop-out," to a staff member before filing a Request for Administrative Remedy, or BP-8. You must attempt informal resolution and submit a formal written Request for Administrative Remedy ("BP-9") within 20 calendar days of the occurrence which gave rise to your complaint. If you demonstrate a valid reason for delay, requests for an extension in filing time may be granted. Sensitive issues, that is, where your safety or well-being would be placed in danger if the Request became known at the institution, may be marked "sensitive" and submitted directly to the Regional Director. All Administrative Remedy forms may be obtained from your Unit Counselor. Your complaint must be written in the space provided. Only one issue, or a reasonable number of closely related issues, may be placed on a single BP-9 form. Multiple, unrelated issues must be placed on separate forms. If more space is needed than is provided on a single form, you may attach a single $8 \frac{1}{2}$ " x 11" continuation sheet. Proof of your informal resolution attempt (generally a copy of the cop-out response) must be attached to your BP-9. The Warden has 20 calendar days from the date of receipt to respond to your Request.

If you are not satisfied with the Warden's response, you may file an appeal to the Northeast Regional Director, Federal Bureau of Prisons, U.S. Custom House, 2nd and Chestnut Streets, Philadelphia, PA 19106, within 20 days, on a form BP-10. The Regional Director has 30 calendar days from the date of receipt to respond to your appeal. If you are not satisfied with this reply, you may file a final appeal to the General Counsel, Federal Bureau of Prisons, 320 First Street, N.W., Washington, DC 20534, within 30 calendar days of receipt of the Regional Director's response, on a form BP-11. The General Counsel has 40 calendar days form the date of receipt to respond to your appeal. Forms BP-10 and BP-11 may be obtained from your Unit Counselor.

Detailed information regarding the Bureau of Prisons' Administrative Remedy Program may be found in Title 28, Part 542 of the Code of Federal Regulations (28 C.F.R. 542.10 et seq.), and Bureau of Prisons Program Statement 1330.13, Administrative Remedy Program. Both are available in the Inmate Law Library.

PROHIBITED ACTS AND SANCTIONS (PS 5270.07)

GREATEST CATEGORY

The UDC shall refer all Greatest Severity Prohibited Acts to the DHO with recommendations as to an appropriate disposition.

CODE	PROHIBITED	ACTS
CODE		ACIS

100 Killing

- 101 Assaulting any person (includes sexual assault) or an armed assault on the institution's secure perimeter (a charge for assaulting any person at this level is to be used only when serious physical injury has been attempted or carried out by an inmate)
- 102 Escape from escort; escape from a secure institution (low, medium, and high security level and administrative institutions); or escape from a minimum institution with violence
- 103 Setting a fire (charged with this act in this category only when found to pose a threat to life or a threat of serious bodily harm or in furtherance of a prohibited act of Greatest Severity, e.g. in furtherance of a riot or escape; otherwise the charge is properly classified Code 218, or 329)
- 104 Possession, manufacture, or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical, explosive or any ammunition
- 105 Rioting
- 106 Encouraging others to riot
- 107 Taking hostage(s)
- 108 Possession, manufacture, or introduction of a hazardous tool (Tools most likely to be used in an escape or escape attempt or to serve as weapons capable of doing serious bodily harm to others; or those hazardous to institutional security or personal safety; e.g., hack-saw blade)
- 109 (Not to be used)
- 110 Refusing to provide a urine sample or to take part in other drug-abuse testing.
- 111 Introduction of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff
- 112 Use of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff
- 113 Possession of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff
- 197 Use of the telephone to further criminal activity.
- 198 Interfering with a staff member in the performance of duties. (Conduct must be of the Greatest Severity nature.) This charge is to be used only when another charge of greatest severity is not applicable.
- 199 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (Conduct must be of the Greatest Severity nature.) This

charge is to be used only when another charge of greatest severity is not applicable.

Sanctions A-G

SANCTION

- A. Recommend parole date rescission or retardation.
- **B.** Forfeit earned statutory good time or non-vested good conduct time (up to 100%) and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
- **B.1** Disallow ordinarily between 50 and 75% (27-41 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).
- C. Disciplinary Transfer (recommend).
- **D.** Disciplinary segregation (up to 60 days).
- E. Make monetary restitution.
- **F.** Withhold statutory good time (Note can be in addition to A through E cannot be the only sanction executed).
- G. Loss of privileges (Note can be in addition to A through E cannot be the only sanction executed).

HIGH CATEGORY

CODE **PROHIBITED** ACTS

- 200 Escape from unescorted Community Programs and activities and Open Institutions (minimum) and from outside secure institutions--without violence.
- 201 Fighting with another person

- 202 (Not to be use)
- 203 Threatening another with bodily harm or any other offense
- 204 Extortion, blackmail, protection: Demanding or receiving money or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing
- 205 Engaging in sexual acts
- 206 Making sexual proposals or threats to another
- 207 Wearing a disguise or a mask
- 208 Possession of any unauthorized locking device, or lock pick, or tampering with or blocking any lock device (includes keys), or destroying, altering, interfering with, improperly using, or damaging any security device, mechanism, or procedure
- 209 Adulteration of any food or drink
- 210 (Not to be used)
- 211 Possessing any officer's or staff clothing
- 212 Engaging in, or encouraging a group demonstration
- 213 Encouraging other to refuse to work, or to participate in a work stoppage
- 215 Introduction of alcohol into BOP facility
- 216 Giving or offering and official or staff member a bribe, or anything of value
- 217 Giving money to, or receiving money from, any person for purposes of introducing contraband or for any other illegal or prohibited purposes
- 218 Destroying, altering, or damaging government property, or the property of another person, having a value in excess of \$100.00 or destroying, altering, damaging life-safety devices (e.g., fire alarm) regardless of financial value
- 219 Stealing (theft; this includes data obtained through the unauthorized use of a communications facility, or through the unauthorized access to disks, tapes, or computer printouts or other automated equipment on which data is stored.)
- 220 Demonstrating, practicing, or using martial arts, boxing (except for use of a punching bag), wrestling, or other forms of physical encounter, or military exercises or drill (except for drill authorized and conducted by staff)
- 221 Being in an unauthorized area with a person of the opposite sex without staff permission
- 222 Making, possessing, or using intoxicants
- 223 Refusing to breathe into a breathalyser or take part in other testing for use of alcohol
- Assaulting any person (charged with this act only when less

serious physical injury or contact has been attempted or carried out by an inmate)

- 297 Use of the telephone for abuses other than criminal activity (e.g., circumventing telephone monitoring procedures, possession and/or use of another inmate's PIN number; third-party calling; third-party billing; using credit card numbers to place telephone calls; conference calling; talking in code).
- 298 Interfering with a staff member in the performance of duties. (Conduct must be of the High Severity nature.) This charge is to be used only when another charge of the high severity is not applicable.
- 299 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (Conduct must be of the High Severity nature.) This charge is to be used only when another charge of high severity is not applicable.

Sanction A-M

SANCTIONS

- A. Recommend parole date rescission or retardation.
- **B.** Forfeit earned statutory good time or non-vested good conduct time up to 50% or up to 60 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended)
- **B.1** Disallow ordinarily between 25 and 50% (14-27 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).
- C. Disciplinary Transfer (recommend).
- **D.** Disciplinary segregation (up to 30 days).
- E. Make monetary restitution.
- F. Withhold statutory good time.
- G. Loss of privileges: commissary, movies, recreation, etc.
- H. Change housing (quarters)
- I. Remove from program and/or group activity
- J. Loss of job
- K. Impound inmate's personal property
- L. Confiscate contraband
- M. Restrict to quarters

MODERATE CATEGORY

CODE PROHIBITED ACTS

300 Indecent Exposure

- 301 (Not to be used)
- 302 Misuse of authorized medication
- **303** Possession of money or currency, unless specifically authorized, or in excess of the amount authorized
- 304 Loaning of property or anything of valve for profit or increased return
- **305** Possession of anything not authorized for retention or receipt by the inmate, and not issued to him through regular channels
- **306** Refusing to work, or to accept a program assignment
- 307 Refusing to obey an order of any staff member (May be categorized and charged in terms of greater severity, according to the nature of the order being disobeyed; e.g., failure to obey an order which furthers a riot would be charged as 105, Rioting; refusing to obey an order which furthers a fight would be charged as 201, Fighting; refusing to provide a urine sample when ordered would be charged as Code 110)
- **308** Violating a condition of a furlough
- **309** Violating a condition of a community program
- 310 Unexcused absence from work or any assignment
- 311 Failing to perform work as instructed by the supervisor
- 312 Insolence towards a staff member
- 313 Lying or providing a false statement to a staff member
- **314** Counterfeiting or forging any documentation, article of identification, money or official paper
- 315 Participating in an unauthorized meeting or gathering
- 316 Being in an unauthorized area
- 317 Failure to follow safety or sanitation regulations
- 318 Using any equipment which is not specifically authorized
- **319** Using any equipment contrary to instructions, or posted safety standard
- 320 Failing to stand count
- 321 Interfering with the taking of count
- 324 Gambling
- 325 Preparing or conducting a gambling pool
- 326 Possession of gambling paraphernalia
- **327** Unauthorized contacts with the public
- 328 Giving money or anything of value to, or accepting money or anything of value from: another inmate, or any other

person without staff authorization

- 329 Destroying, altering or damaging government property, or the property of another person, having a value of \$100.00 or less
- 330 Being unsanitary or untidy; failing to keep one's person and one's quarters in accordance with posted standards
- 331 Possession, manufacture, or introduction of a non-hazardous tool or other non-hazardous contraband (Tool not likely to be used in an escape or escape attempt, or to serve as a weapon capable of doing serious bodily harm to others, or not hazardous to institutional security or personal safety; Other non-hazardous contraband includes such items as food or cosmetics
- 332 Smoking where prohibited
- **397** Use of the telephone for abuses other than criminal activity (e.g., conference calling, possession and/or use of another inmate's PIN number, three-way calling, providing false information for preparation of a telephone list).
- 398 Interfering with a staff member in the performance of duties. (Conduct must be of the Moderate Severity nature.) This charge is to be used only when another charge of moderate severity is not applicable.
- **399** Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (Conduct must be of the Moderate Severity nature). This charge is to be used only when another charge of moderate severity is not applicable.

Sanction A-N

SANCTIONS

	Α.	Recommend	parole	date rescission	or	retardation.
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- **B.** Forfeit earned statutory good time or non-vested good conduct time up to 25% or up to 30 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
- **B.1** Disallow ordinarily up to 25% (1-14 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).
- C. Disciplinary Transfer (recommend).
- **D.** Disciplinary segregation (up to 15 days).
- E. Make monetary restitution.
- F. Withhold statutory good time
- G. Loss of privileges: commissary, movies, recreation, etc.
- H. Change housing (quarters).
- I. Remove from program and/or group activity.
- J. Loss of job.

- K. Impound inmate's personal property.
- L. Confiscate contraband.
- M. Restrict to quarters.
- N. Extra duty

LOW MODERATE CATEGORY

CODE PROHIBITED ACTS

- 400 Possession of property belonging to another person
- 401 Possessing unauthorized amount of otherwise authorized clothing
- 402 Malingering, feigning illness
- 404 Using abusive or obscene language
- 405 tattooing or self mutilation
- 406 Unauthorized use of mail (Restriction, or lose for a specific period of tine, of these privileges and charges may often be an appropriate sanction (G) (May be categorized and charge in terms of grater severity, according to the nature of the unauthorized use; e.g., the mail is use for planning, facilitating, committing an armed assault on the institution's secure perimeter, would be charged as code 101, Assault)
- **407** Conduct with a visitor in violation of Bureau regulations (Restriction, or loss for a specific period of time, of these privileges may often be an appropriate sanction G)
- 408 Conducting a business
- 409 Unauthorized physical contact (e. G., kissing, embracing)
- **497** Use of the telephone for abuses other than criminal activities(e. G., exceeding the 15-minute time limit for telephone calls; using the telephone in an unauthorized area; placing of an unauthorized individual on the telephone list)
- 498 Interfering with a staff member in the performance of duties. <u>Conduct must be of the Low Mode-rate Severity</u> <u>nature</u>.) This charge is to be used only when another charge of low moderate severity if not applicable.
- 499 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (Conduct must be of the Low Moderate severity nature.) This charge is to be used only when another charge of low moderate severity is not applicable.

SANCTIONS

- **B.1** Disallow ordinarily up to 12.5% (1-7 days) of good conduct time credit available for year (to be used only where inmate found to have committed a second violation of the same prohibited act within 6 months); Disallow ordinarily up to 25% (1-14 days) of good conduct time credit available for year (to be used only where inmate found to have committed a third violation of the same prohibited act within 6 months) (a good conduct time sanction may not be suspended).
- E. Make monetary restitution.
- F. Withhold statutory good time.
- G. Loss of privileges: commissary, movies, recreation, etc.
- H. Change housing (quarters).
- I. Remove from program and/or group activity.
- J. Loss of job.
- K. Impound inmate's personal property.
- L. Confiscate contraband.
- M. Restrict to quarters.
- N. Extra duty.
- O. Reprimand.
- P. Warning.

<u>NOTE</u>: <u>Aiding</u> another person to commit any of these offenses, <u>attempting</u> to commit any of these offenses, <u>and making plans</u> to commit any of these offenses, in all categories of severity, shall be considered the same as a commission of the offenses itself.