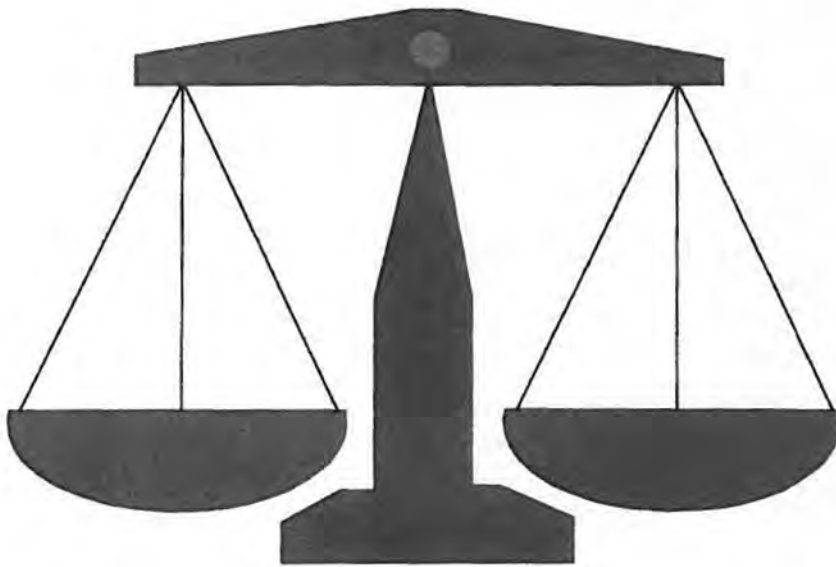




The GEO Group, Inc.

**NORTHEAST NEW MEXICO
DETENTION FACILITY**



INMATE HANDBOOK

**Effective Date: August 1, 2008
Revised: January 13, 2014**

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INTRODUCTION

Welcome to the Northeast New Mexico Detention Facility. This facility is managed by The GEO Group, Inc. and is required to follow several, but not all, of the New Mexico Corrections Department (NMCD) Policies.

The GEO Group, Inc. manages facilities in numerous states as well as in foreign nations such as Australia and England. The GEO Group, Inc. is proud of the institutions that we manage. We are noted for our programs, and professionalism. We trust that you will take advantage of the program and work activities that will be offered.

You will be treated as an adult; self-discipline is essential. Please contact your Case Manager or other appropriate staff if you have any questions.

The information in the handbook is general. It will provide guidelines on what is expected from you. All policies, procedures and expectation for you are contained in the policy books located in the education resource center. You are responsible for reviewing these items in their entirety; as you will be held accountable for these standards. Policies are also available to the public upon request.

The following are privileges that you will be allowed if your behavior is positive.

PRIVILEGES

1. Participation in work and programs.
2. Access to the day room in your cellblock and to watch television and play table games until 10:30 p.m. on weekdays and 12:00 a.m. on weekends and holidays.
3. Tobacco and related tobacco products are prohibited in the Northeast New Mexico Detention Facility.
4. Visitation (contact or non-contact) with your family and a choice of friends, up to a total of (15) fifteen individuals may be on your visiting list.
5. Participation in religious activities of your choice within the prison is allowed.
6. Participation in recreational activities.
7. Participation in certain art and crafts activities in your cell. Participation in this program will be based on your behavior.
8. Inmates are allowed to place pictures of family, friends, etc., in a 2 1/2' x 2 1/2' space in cells. No nudity allowed. Pictures hung outside the designated space will be considered contraband and confiscated.

9. Allowed to keep personal belongings, newspapers, books, letters, etc. in your cell as long as it all fits in your under bunk storage area.
10. If you have money in your account you will be allowed to purchase up to \$50.00 in goods each week from the canteen.

RESPONSIBILITIES

1. To obey the rules and regulations of NENMDF.
2. Speak with respect to staff and others.
3. Treat your fellow inmates with respect.
4. Keep all your personal belongings properly stored.
5. Maintain personal hygiene.
6. Move in a single file to your assigned work and/or program area between the yellow line painted on the floor and the wall, with your hands behind your back. Inmates are not allowed to loiter or converse (talk) in the hallways. You are to use the hallways only as a route to your destination.
7. Not to use or promote the use of drugs.
8. Maintain your clothing and other issued property in good condition.
9. Keep noise at an acceptable level so as not to disturb your neighbors.
10. Participate in assigned work and programs.

INMATE RULES AND REGULATIONS

A. Authority for Disciplinary Sanction

Any inmate found to be in violation of an Inmate Rule or Regulation will be subject to disciplinary and/or criminal action depending on the type of violation. Repeated violation of a minor infraction may be handled as a major infraction.

1. General Conduct and Behavior

- a. All inmates will abide by the rules and regulations as set forth in the policy statement on inmate discipline.

- b. Inmates will show respect and courtesy to facility personnel, citizens, visitors, and other inmates. You will address staff by calling them Sir/Ma'am or by their title and last name.
- c. Inmates are required to follow orders of the staff in a proper and efficient manner. In the event of conflicting orders, the inmate is to follow the last order given.
- d. Inside the building when going to class, work, meals, etc. you will not drink, eat or smoke and will enter and exit in a single file for all internal movement and walk between the yellow line on the floor and the wall, with your hands behind your back.
- e. Contraband is defined as anything not allowed to be received through the mail, not sold in the commissary or issued by the State or Facility. Articles in excess of established limits or used for unauthorized purposes are also considered contraband. Articles, which have been altered from their original state, will also be considered contraband.
- f. Inmates are prohibited from committing, soliciting, forcing, or enticing other inmates to perform any sex act.
- g. Inmates are explicitly prohibited from creating unnecessary noise. This includes the use of indecent or vulgar language, and verbally threatening or attempting to intimidate inmates and officers.
- h. Inmates will not interfere with staff members in the performance of their duties.
- i. Inmates are not allowed to leave their place of assignment, enter an unauthorized area or engage in unauthorized activity without the permission of the staff member in charge. This includes inmates who are on work release or any approved activity outside the perimeter of the grounds.
- j. All inmates will display their Identification Card on their shirt pocket when out of their cell. Inmates who lose or damage their Card will be required to sign a debit memo for \$5.00 to cover replacement costs. Inmates who significantly alter their appearance shall be required to obtain a replacement card at a cost of \$5.00. Inmates whose physical appearance does not match the photo on their card will not be allowed commissary privileges.
- k. Inmate will present their ID card for verification of their identify when accepting a tray during meal times, when receiving mail, and when accepting medication at Medline.

- l. Inmates are subject to pat and/or strip search at any time. Personal property and housing/work areas may be searched at any time.
- m. Inmates will not be permitted to sell, trade, give, exchange, or lend any item to other inmates, inmate families, staff members, or family without written authorization of the Chief of Security or above.
- n. Inmates will not be allowed to congregate in hallways. Inmates are expected to walk in a single file and to always be moving toward your destination.
- o. Inmates may congregate and visit in recreation areas.
- p. Gang symbols either verbally, physically or symbolic are strictly forbidden.

2. Housing Unit Rules

- a. Inmates will not change their cell or bunk assignment without prior written authorization from the Chief of Security or Chief of Classification.
- b. All inmates are required to maintain their cells and common area in a clean, sanitary and orderly condition.
- c. Inmates are prohibited from entering and/or visiting at the door of another inmate's cell. Inmates are not allowed to enter a cellblock to which they are not assigned.
- d. Inmates are prohibited from placing items in the doors or any locking mechanism.
- e. Before leaving the cell, each inmate's bed shall be neatly made.
- f. Inmates will sleep with their feet towards the door. Inmates can not place their mattresses on the floor.
- g. Inmates are prohibited from altering fixtures, blocking vents, or exchanging cell furnishings.
- h. Volume on personal radios and televisions will be kept low so as not to disturb other inmates or staff. Personal radios will not have external speakers, they must be headphone jack accommodated. Failure to follow this guideline will result in the confiscation of the radio and/or disciplinary action.
- i. Nothing will be hung on the cell door.

- j. Inmates are responsible for insuring that their cell is clear of contraband.
- k. Only (8) eight inmates will be allowed in the shower at a time.
- l. Undershorts will be required going to and from the showers. Gym shorts, T-shirts, or Sweats may be worn in place of the full institutional uniform when going to and from the Gym and Recreation Yards. Shirts will be worn for both indoor and outdoor recreation.
- m. Lighting fixtures will not be covered with any type of material.
- n. Cell windows will not be covered with any type of material.
- o. In order to maintain control of fire hazards and provide meaningful safety standards, all personal property is to be stored in your assigned locker. Excess property will be sent home at your expense or destroyed. Excess property will not be stored for you.
- p. Recreational activity in the housing units will be limited to tabletop games and approved in cell hobby/crafts.
- q. When counts are conducted in units, inmates will be in their respective cell with door closed until count is completed.
- t. Nude pictures/and or photographs will not be allowed.
- u. Inmates must be ready for escort or release to an activity within fifteen (15) minutes of the time an Officer has given a get ready call. Failure to be ready will result in your missing that activity. Disciplinary action may be taken for missed activities.
- v. From 5:30 a.m. until 6:00 p.m. blue pants must be worn and a white t-shirt or blue uniform shirt. Muscle shirts and shorts are not allowed to be worn in the dayroom at any time. From 6:00 p.m. until rack up time, on weekends and recognized holidays the blue uniform pants may be substituted with sweatpants. Socks must be worn at all times while in the dayrooms.
- w. During Gym or Yard recreation, T-shirt, sweats or shorts are permissible.
- x. No alteration of clothing is allowed. Head wear and non-prescription sunglasses will not be worn in the day rooms or hallways.
- y. Inmates will not congregate on the runs.
- z. Trash bags are only allowed in trash containers.

- aa. In the event of a disturbance in the dayroom, inmates are required to return to their cells and lock the cell door behind them. If an inmate is unable to gain entry to his cell for any reason he is to stand by his assigned cell door until staff is able to allow him entry. If the disturbance is taking place inside the inmate's assigned cell or prevents the inmate from gaining entry safely into his cell he is to move away from the area and remain seated out of the area of the disturbance. At no time is an inmate to remain in the area of the disturbance or participate in any way.

3. Food Service

- a. Headgear issued for Food Service workers is not permitted to be worn outside the Food Service Areas. Inmates will also be provided with boots and two extra sets of uniforms. The boots will be used for work only. The boots are the responsibility of the inmate.
- b. Inmates will not be allowed in the kitchen unless a staff member is present.
- c. Inmates will not be allowed to take food or any item from the kitchen.
- d. Inmates are not to throw food, napkins or other items on the housing unit floors.
- e. All daily meals will be served in the inmates assigned housing unit.
- f. Once finished eating, Inmates will clear their table and place their trays, cups, and silverware in the designated area.
- g. There will be no second servings.
- h. Inmates are not to move ahead (take cuts) in the serving line.
- i. Inmates will be allowed twenty (20) minutes from the time that they are seated to finish eating. Staff will keep the time.
- j. If a special diet is required, medical will notify Food Service and a diet tray will be provided at the designated mealtime.
- k. If the special diet tray is refused or not taken three times the diet will be discontinued until further notice
- l. Officers serving the food in the housing units will wear hairnets or caps and utilize plastic gloves when handling food.
- m. No personal radios will be allowed in the main kitchen.

4. Laundry

- a. This Institution accepts no responsibility in regard to the laundering of personal items. Inmate personal clothing may be laundered in accordance with laundry rules and regulations. Any laundering of these items is done with inmate's approval and at his own risk. Any damage or loss incurred will not be the responsibility of the institution.
- b. Inmate laundry will be conducted Monday through Friday. Laundry schedules will be posted in each day room. Inmates will place their dirty clothes in their laundry bag, tie the bag closed and place the bag in the laundry buggy located in the day room for pick-up. Laundry will be returned the same day for re-issue. Inmates must use the laundry bag issued to them. If you are moved, take the laundry bag with you.
- c. See the laundry schedule on page 46.

5. Visitation

- a. Inmates will be subject to strip-search upon entering and leaving the Visiting Room.
- b. Hours for social visiting are from 8:30 a.m. – 3:30 p.m. from Wednesday through Sunday.
- c. Segregation Inmates may have four visits per month, each two hours and thirty minutes (2 ½ hours) duration.
- d. Visits for general population will be unlimited during regular visiting hours. The exception to this will be space availability or any situation that presents a possible threat to the safety and security of the institution.
- e. Visitation privileges will be altered from the result of a positive urinalysis, failure to provide a urinalysis or possession of drugs/drug paraphernalia. The 1st offense will result in 6 months of non-contact visitation. The 2nd offense will result in 1 year of non-contact visitation. The 3rd positive test will result in an indefinite term of non-contact visitation.
- f. Visits will be limited to no more than three (3) persons over the age of six and three visitors under the age of 6. When instances of more than three (3) visitors (over the age of six) arrive they may alternate time so that not more than three (3) visitors (over the age of six) are visiting at one time, although once a visitor exits they may not return. The number of visitors may be reduced at any time without prior knowledge if there is an instance of overcrowding or any situation that presents a possible threat to the safety and security of the Institution. No visitor under the age of eighteen will be

allowed to visit without having been properly identified and accompanied by a legal parent or legal guardian or has been a verified as the inmate's legal spouse. Any nuisance created by children and/or adults will be sufficient reason to terminate any given visit.

- g. For an addition or removal of a visitor you will need to complete a Visitor Request form and give it to your assigned caseworker for correct action to be taken. If you are adding a person to your visiting list you must also have the proposed visitor complete a visitor application form and return it to the facility for approval before they can be placed on the visiting list. These form are available through your assigned caseworker.
- h. Visits will generally consist of natural contact, but non-contact visiting will be utilized when you are on administrative segregation, PHD, over 60 days disciplinary status, or have a positive urinalysis or failure to provide a urinalysis within the last year (depending on the repetitiveness) through the duration of your visit.
- i. Inmates will not be allowed to receive any item during the Visit. Inmates will be allowed to transfer items to the visitor with prior approval.
- j. Inmates will be allowed to possess only the following items of personal property in the Visiting Room:
 - (1) Wedding Band
 - (2) Non-metal Comb
 - (3) Religious necklace
- k. Inmates will be allowed to embrace and kiss at the beginning and at the conclusion of the visit only. The inmate is to be seated across the table from adult visitors. Staff will assign seating.
- l. Inmates may not engage in sexual contact, vulgar language or any other behavior which disrupts the orderly operation of the Visiting Room or would offend others.
- m. Inmate family members may purchase sodas, and food items from the vending machines provided in the Visiting Room. Visitors may only bring in twenty dollars (\$20.00), in coin currency only for use for the vending machines. No change will be available. The Facility will not be responsible for money lost in the vending machines. Inmates will not be allowed to go to the vending machines.
- n. If you leave your seat, without the approval of security staff, your visit will be terminated and a disciplinary report will be written.

- o. Visitors who violate visitation rules will be removed from your list.
- p. In the event of an overcrowded Visiting Room: The ranking Shift Supervisor or the Duty Officer may alleviate crowded conditions in the visiting room by abbreviating two (2)-hour visits to one (1)-hour visits, being careful to credit the concerned inmate with the time not used.
- q. Visitors that take medication will not be allowed to possess the medication in the visiting room. The medicine will be left in their vehicle until the visit is complete.

6. Recreation

- a. Walkman radios are allowed in the gymnasium. Headsets must be utilized.
- b. Entry and exit from the gymnasium will be through the assigned door only.
- c. Equipment issued in the gym is for use in the gym **ONLY**. Recreation Yard and Day room equipment will be issued separately.
- d. **ONLY** tennis shoes or gym shoes will be allowed in the gymnasium.
- e. No food or drink can be taken into the gymnasium.
- f. Sunglasses, except prescription type, will not be worn in the gymnasium.
- g. Shirts will be worn at all times during recreation or recreation will be terminated.

7. Education Building (including Library)

- a. All inmates will be pat searched or strip-searched upon entering and leaving the education area.
- b. No personal radios are allowed in the education areas, with the exception of students requiring such devices for learning activities. These inmates will be distributed a pass from the education department for easy identification.
- c. No headgear or sunglasses, (except prescription type) will be worn in the education areas.
- d. Inmates are required to wear complete uniforms in education programming.
- e. No loud or disorderly conduct will be allowed within the education program.

- f. Sleeping during class will not be tolerated.

B. Personal Appearance and Grooming

1. Inmates are allowed freedom in personal grooming so long as their appearance does not conflict with requirements set forth.
2. Inmates are permitted and expected to shower daily.
3. Inmates are issued items needed to maintain personal hygiene including soap, toothbrush, toothpaste, toilet paper, and razors, etc.
4. Inmates are permitted to purchase other hygiene items in the Canteen.
5. Barber shop services will be provided during posted hours.
6. There is no standard hair length required:
 - a. Male inmates may have sideburns, mustaches, beards, as long as grooming standards are maintained (neat and clean).
 - b. Inmates may not wear artificial hairpieces, or change their hair color.
 - c. Inmates will be required to wear caps, and/or a hair net when working in food service or around machinery.
7. All inmates at the Northeast New Mexico Detention Facility will wear the blue issued uniform. The pants will be worn at the normal hip level. The pant legs will not be pegged. Shirts are a pull over style and will not be tucked in. Inmates will not roll up their shirtsleeves. Socks will be worn while in uniform. Shoes with laces will be tied. No hats or sunglasses (other than prescription) will be worn indoors. Dew rags or hairnets can only be worn in the cells. All religious medals and chains will be worn underneath the shirt. Wearing of the uniform inappropriately may constitute a disciplinary violation.
8. Inmates will be allowed to wear prescribed sunglasses while at outside recreation.
9. Inmates will be allowed to wear hats and prescribed sunglasses during specified work details.

FAMILY VISITS

Dress Code for Visitors

1. General:
 - a. All visitors must be appropriately attired in accordance with this policy before entering any New Mexico Correctional Facility or Privately Operated Facility.
 - b. When attire is deemed not in accordance with this policy by the Front Reception Officer, the matter shall be brought to the attention of the shift supervisor.
 - c. Visitors may not be allowed into the institution if their clothing would make it difficult to distinguish the visitor from an inmate.
 - d. Visitors are subject to denial of visiting privilege for that day if their attire is not in accordance with this policy.

2. Male Visitors:
 - a. Trousers and a shirt with sleeves must be worn at all times. Plain white undershirts or muscle, "A" shirts are not allowed when used as an outer garment.
 - b. Restricted clothing colors will depend on the facility inmate uniform code.
 - c. Shorts, beach-type shorts or cut-offs will not be worn.
 - d. Tank-Tops are not allowed.
 - e. Undergarments shall be worn, but not visible through outer clothing.
 - f. Footwear must be worn at all times, beach type thongs and slippers are not permitted. Open toed shoes are allowed.
 - g. No hats, scarves, bandanas or other types of headbands will be brought into the institution or worn in the Visiting Room.
 - h. Sweat clothes or athletic (warm-up) clothes may be worn, with the exception of shorts.
 - i. Skintight clothing or spandex is not permitted.
 - j. Undergarments shall be worn but not visible through outer clothing.

3. Female Visitors:

- a. Dresses, skirts or pants must be worn.
- b. Skirts or dresses with a slit higher than mid-thigh are not acceptable.
- c. Skirts or dresses that are more than three inches above the knee are not acceptable.
- d. Shorts, cut-offs and beach-type shorts are not acceptable.
- e. Sweat clothes or athletic (warm-up) clothes may be worn, with the exception of shorts.
- f. Skintight clothing or spandex, is not permitted.
- g. Undergarments must be worn, including brassieres, but must not be visible through outer clothing.
- h. Tank top blouses, spaghetti straps, tube tops, halter-tops, or spandex or spandex-like pants are not acceptable, nor is any type of see-through clothing.
- i. Clothing must not be see-through, expose cleavage, the midriff, shoulders or any part of the breast or upper thigh.
- j. No hats, scarves, bandanas or other types of headbands will be brought into the institution or permitted in the Visiting Room.
- k. No bathing suits will be worn as an outer garment.
- l. Footwear must be worn at all times, beach type thongs and slippers are not permitted. Open toed shoes are allowed.

3. Children:

All children the age of 8 or above will be required to adhere to the adult dress code, according to gender.

Children that are 7 and younger shall be limited to the following exceptions:

- a. Anything listed in the adult code above, according to gender.
- b. Short pants that are no shorter than three inches above the knee.
- c. All children including infants will be fully clothed at all times. Infants will not be permitted to wear only a diaper

4. Miscellaneous: (Regardless of Age)
 - a. Clothing expressing profanity, derogatory statements or remarks is not allowed.
 - b. Clothing which promotes drugs, alcohol or sex is not allowed.
 - c. Clothing that, in the opinion of facility staff, is promoting gangs or that has gang symbols, is not allowed.
 - d. Clothing worn in a baggy or sagging fashion, normally identified with gang dress, is not allowed.
 - e. Headwear of any sort (including head bands) is not allowed.
 - f. No sunglasses unless they are prescription.
5. Any attire not covered by this procedure, that is deemed inappropriate by the front reception officer, will be brought to the attention of the Shift Supervisor. The Shift Supervisor may deny visiting privileges based on inappropriate attire and shall document any such denial to the Deputy Warden.

INMATES – Dress Code

1. The uniform blue shirt and trousers must be worn.
2. No sweatshirts “A” or shirts shall be worn.
3. Street or facility-issued shoes must be worn (no thongs will be permitted).
1. Work clothes are not acceptable.
2. No hats will be worn.
3. No sunglasses will be worn, unless prescribed by the unit medical department.

Inmates or Visitors who fail to abide by the Dress Code will not visit.

SPECIAL VISITS

Special Visits such as attorney visits or family emergencies may be requested utilizing a inmate written special visitation form, approved through your assigned case manager. For information on family trailer visits at this facility you must see your assigned caseworker.

INFORMATION FOR VISITORS

The following information is provided so that inmates may inform their family and friends of visitation procedures that will ease the visitation process:

Pre-Approval: Visitors must be on an approved visitor's list. All regulations concerning this requirement are in CD-100200.

Required Identification of Visitors: A valid picture Drivers License or picture ID for all visitors ages 16 and over.

Facility Address: 185 Dr. Michael Jenkins Road
Clayton, NM 88415

Facility Phone Number: (575) 374-4005

Facility Fax Number: (575) 374-4010

Location and Local Transportation: Clayton is located 82 miles east of Springer, New Mexico and 145 miles southeast of Amarillo, TX. The facility is located approximately 4 miles outside of town. There are two highways that may be taken out of Clayton to access the facility. If utilizing Highway 87 (Texas Highway) the facility will be located on the left side of the road. If utilizing Highway 56/64 (Oklahoma Highway) the facility will be located on the right side of the road. The facility is located approximately one mile down Dr. Michael Jenkins Road either way.

If traveling by air, the Clayton Airport is available for private planes, but arrangements must be made in advance. If ground transportation is needed visitors may contact the Golden Spread Coalition at 575-374-6207 for arrangement and prices.

MEDICAL SERVICES

Upon arrival inmates will have direct access to medical staff through the sick call request. Inmates are seen by the medical department within 24 hours of arrival. They are given written directions on how to access medical care. In an emergency a verbal request should be directed to staff members, so that they may notify medical for the appropriate action to be taken.

Sick Call

An emergency sick call walk-in will be held from 7:30 to 8:00 a.m. each weekday morning for inmates assigned to education classes and work detail. If an inmate does not plan on attending education/work because of an illness he must receive a lay-in slip from the medical department for that day. If there is not an emergent need to be seen medical will not issue a lay-in slip. If an inmate fails to see the medical department during the emergency walk-in time he will not be excused from education/work.

Sick call for all patients will be held in the Medical Department, Monday through Friday, excluding holidays. Patients will fill out the sick Call Request slips, which are available from security or medical personnel. These request forms will be filled out completely with name, number, unit and a brief description of the medical/dental problem. The completed sick call slip will then be placed in the sick call box. Sick call slips are picked up every morning, and appointments are made within 48 hours depending on weekends and the medical need.

- a. No food, drink or smoking will be permitted in medical.
- b. All medication dispensed with the exception of "Keep on Person" prescriptions will be taken immediately in the presence of correctional officer or medical personnel. **NOTE:** Inmates will be required to drink water after taking medication and are required to open their mouth for inspection.

Inmates in Segregation – Sick call slips will be turned into the nurse when daily medical segregation rounds are made.

Emergency Care

Medical Personnel are available on-site, twenty-four (24) hours a day to handle emergencies. However, conditions which can be handled through the above sick call schedule will not be dealt with as an emergency.

Dental Care

Dental Services of a non-emergency nature are available through the sick call process. Those inmates seeking dental care of a non-emergency nature should submit a sick call slip to sign up for an appointment, stating what the nature of the dental need is. Inmates will be seen at the earliest possible time for examination and evaluation. For severe pain, control of bleeding, treatment of acute infection or injuries to the teeth or supporting structures, notify Security and request that you be allowed to go to the medical department.

Optometry Services

Persons needing optometry services are evaluated through Sick Call, and then referred to an Optometrist if indicated. Basic glasses will be provided at the facility expense, once every two years, unless the patient's vision changes. Tinted lenses will be provided only if there is a medically documented need. Inmates must select their frame style from those available. Replacement of broken or lost glasses is the sole responsibility of the inmate.

Medical Specialists

The Facility Physician will make referrals to an off-site medical specialist when deemed appropriate.

Medications

Pill lines will be held two (2) times each day. Failure to pick up prescribed medication for two (2) consecutive doses may result in discontinuation of that medication.

Medication not picked up at the prescribed medication line will not be available at the next line. At pill line an inmate will be required to show the supervising correctional officer the front and back sides of his hands, the inside of his mouth and rotation of his tongue to ensure the medication is taken as directed.

The Medical Department may dispense and allow inmates to have in their possession up to a thirty (30) day supply of both prescription and non-prescription medications. This is a privilege that may be suspended at the discretion of the medical or security staff. Narcotics and psychotropic medications will not be dispensed in this manner.

Special Diets

Inmates may require special diets for the treatment of a documented medical condition. Requests for special diets due to religious reasons must be routed through your Case Manager or the Chaplain. Medical staff will determine the need for any special medical diets.

MENTAL HEALTH SERVICES

All inmates have access to mental health services. The frequency, intensity and modality are based upon each individual's need and medical necessity. Inmate mental health files are maintained in triple locked and secured safe and are not housed with records from any other department. All mental health services are confidential with three exceptions:

- When the inmate in question verbalizes or gestures possible suicidal intention
- When the inmate in question verbalizes or gestures possible homicidal intention
- When the inmate in question verbalizes or gestures any activity or behavior that may suggest that there is a possible threat to the security or efficient functioning of the facility.

These limitations to confidentiality are reviewed with every inmate upon arrival at NENMDF, along with how to access mental health services and information about various services; this is the Mental Health Department Orientation.

Generally, inmates may get mental health services by visiting the Mental Health Secretary and requesting services. The secretary will schedule the inmate for services based upon first come/first served basis. Unless the inmate says that they are in crisis, in which case the secretary will have a provider visit with the inmate within one hour.

The services commonly provided by the mental health are:

- Individual counseling, which is usually reserved to the more serious or severe issues
- Group counseling, which is the most common form of psychotherapy and appropriate for most issues and most inmates
- Family counseling, which is specifically for inmates and their spouses or families and focus on maintaining healthy family relations while the inmate remains at NENMDF.
- Psycho-education classes, which cover a variety of topics aimed at improving an inmate's quality of life in the correctional facility and outside of the facility

- Medication related services, which are provided through a psychiatrist which visits NENMDF twice a month. The NENMDF mental health department refers inmates who may need medication to psychiatrist. The medical department schedules inmates for psychiatric clinic.
- Assessment and testing occurs at the request of the psychiatrist, mental health director or MDT.
- Addictions psychotherapy focuses on insight and interventions into compulsive and addictive patterns of behavior.
- Community referral and discharge planning are services which assist inmates in transitioning from the facility to the community mental health provider. These services are usually initiated about 120 days before the inmates scheduled departure from NENMDF.

All mental health clinicians are licensed to practice mental health services by the State of New Mexico and they adhere to the ethical standards of counselors, psychologists, and social workers State and Federal Laws, Ethics, American Correctional Association Standards, American Psychological Associate Standards.

RDAP (Residential Drug and Alcohol Program)

The RDAP Program is a volunteer program for individuals interested in working on skills for accountability, responsibility, acceptance, and discipline to maintain a life of freedom and sobriety. It is a full-time job and you are paid according to the phase level achieved. Other benefits, such as expanded commissary purchases, telephone privileges and food nights are allowed as you progress in the program. If interested you need to send a letter of interest to the RDAP Director.

PERSONAL PROPERTY

It is the policy of NENMDF to help preserve individual identities of inmates and normalize the institutional setting whenever possible; therefore, approved personal property items which do not constitute a threat to the security of the institution or to the safety of inmates or staff will be allowed. Personal property not authorized or allowed will be retained for 14 days. If the inmate does not send the items out of the institution within this time, they will be destroyed.

DIPLOMATIC REPRESENTATIVES

Foreign National Inmates have access to the Diplomatic Representatives of their country of citizenship. Staff assistance may be requested to enable inmates to contact their diplomatic representatives.

COMMISSARY

A list of items available in the commissary, including prices, is available to all inmates through the commissary. Over-the-counter medications approved through the unit medical provider will be available for purchase. Inmates in general population shall be allowed to purchase up to

\$50.00 worth of consumable commissary items per week. Inmates housed in the Honor Unit or Crossings Unit may purchase up to \$70.00 worth of consumable commissary items per week. No inmate may have over \$75.00 worth of consumable commissary items in their possession.

No purchases will be allowed without money posted on the inmate's account. All purchases must be verified against the amount charged by the inmate, prior to leaving the commissary. All exchanges or questions regarding shortages must be questioned at the time of receipt of the items. If your appearance does not resemble the picture on your ID card you will not be allowed commissary privileges. If you have misplaced your card you will be required to purchase a new one.

For purchasing commissary an order form must be filled out and placed in the box corresponding to your housing unit. The boxes are located in the hallway directly adjacent to the crash gate when entering the housing units. Your items will be placed in a bag and delivered to you in your housing unit.

INMATE TRUST ACCOUNTS

Family and friends who are approved on the inmate-visiting list may send money to the inmate; however, all money must be in the form of a cashier's check or a money order. No personal checks or cash will be accepted and will be returned. The envelope should be addressed to the Facility; Attn. Inmate Trust Fund. Receipts will be delivered to inmates, via mailroom staff, receiving money as soon as possible. Copies of the receipts will be submitted to the Inmate Accounts Clerk for posting. A ledger will be sent to each inmate on a monthly basis on all account activity.

INMATE PRE-RELEASE/EMPLOYABILITY SKILLS

The Pre-Release Program is designed to enhance the chances for successful reintegration into society. Community interaction is encouraged by staff to facilitate inmate transition from prison to community. Pre-Release planning encompasses a variety of techniques that address the needs of the inmates with different backgrounds and problems.

Programs to prepare inmates for release include:

1. Planned lectures and discussions that address the concerns of inmates returning to the community.
2. Individual counseling that focuses on particular needs.
3. Participation in the S.O.A.R. program requires this class.

An education handbook is available with complete listings of classes. Please ask for one at the education department.

EDUCATION RESOURCE CENTER (E.R.C.)

This Institution will provide law books, legal materials, and qualified legal packets for use in preparing legal cases. Civilian personnel are available to assist the inmates. A legal and reference library is available where you may read, research or check out books.

For access to the law materials, you may come to the E.R.C. in person or may fill out a legal request and place it in the law library request box located in the housing units hallway. The librarian will check the boxes on Wednesday. To receive a scheduled appointment you need to request one and it will be scheduled.

INMATE CORRESPONDENCE

Constructive correspondence is encouraged between inmates, their families, and friends. The only restrictions shall be that necessary to ensure the safety of the institution or other persons.

Inmates are provided access to the Northeast New Mexico Detention Facility Policies in the education resource center. Policies and Procedures govern the institution's mail, telephone and visiting services for inmates including mail inspection, public phone use, and routine and special visit.

All inmates will be issued up to five sheet of writing paper per week and paid postage for two letters per week. Legal postage and envelopes will be provided for indigent inmates upon request.

Incoming and outgoing letters are not held for more than 48 hours and packages are not held for more than 72 hours; excluding weekends and holidays. When receiving mail or packages you will be required to present your facility issued I.D. If your appearance does not resemble the picture on your I.D. card you will not be issued your mail. If you have misplaced your card you will be required to purchase a new one.

GOOD TIME

It is the policy of the Corrections Department to allow all inmates the opportunity to earn good time on the condition that they observe departmental and institutional rules, regulations and policies; demonstrate a continuing effort towards self-improvement; and meet the criteria based upon the applicable statutes at the time of commitment.

INMATE EMPLOYMENT SYSTEM (I.E.S.)

Northeast New Mexico Detention Facility provides inmates with full-time programming, including school and/or work which will be of mutual benefit to the state, society, and particularly to the inmate. Inmates will be given incentives and rewards in the form of monetary and good time compensation for acceptable work performed and regular attendance.

RELIGIOUS PROGRAMS

NENMDF provides Religious Programs for all religious groups registered in the Chaplain's Office. These programs offer guidance to inmates for spiritual growth and development. It is the intent of institutional personnel to ensure that all inmates are allowed to exercise their constitutional rights regarding their religious beliefs. Religious services are scheduled on daily, weekly, semi-monthly, and/or monthly basis, depending on the availability of space, community resources, and inmate needs. The calendar of activities is posted in the chapel and in each housing unit.

A Crossings Community House is open by application and interview to all inmates having a faith-based life. This community is open to all Faiths and requires participation in courses and religious services. This is a zero-tolerance-housing unit with no exception.

The Chaplain office supervises all religious and spiritual development programs and services.

EDUCATIONAL PROGRAMS

It is the policy of this Institution to establish and make available a continuous educational program of Basic Education, Academic, and Vocational instruction for all eligible inmates. These various programs are designed to meet the specific needs of functional literacy, continuing education, personal growth, and occupational usefulness. Inmates who do not have a verified high school diploma or G.E.D. may be required to attend school under New Mexico's Literacy Act.

Educational Programming shall be made available to qualified inmates without regard for race, color, creed, age, or impairment. At least one college course is offered each semester at no cost to the inmate. Qualified instructors shall teach all Academic and Vocational Programs. An education handbook is available to all inmates who wish further information on the educational offerings in the education office.

VOCATIONAL PROGRAMS

For all courses, a GED or High School Diploma is preferred. If the student does not have either, then the student will (in most cases) need to demonstrate proficiency between the 4-8th grade level as measured by the T.A.B.E. Most classes are Open Entry/Open Exit. Certificates will be provided to inmates for completion of each module, and each program. Even though some programs are comparable from institution to institution, inmates cannot necessarily transfer easily between programs when in the midst of a course of study.

All questions regarding eligibility and class availability should be routed to your case manager or the Education Department. An education handbook is available to all inmates who are interested in a more complete listing of course offerings in the education office.

OVERVIEW OF CLASSIFICATION PROCESS

This summary of the classification process is intended to provide all inmates with an overview of the entire classification process. Every element of that process is described in detail in the NMCD and NENMDF Classification policies located in the library.

After the RDC Classification recommendations are finalized, the inmate is transferred to an appropriate facility. Upon arrival, the inmate is housed in the Unit Orientation Pod up to seven days, during which time he receives a SRNS review, orientation on institutional rules and regulation and available programs and services. Additionally, he is interviewed by the Orientation Case Manager to determine whether the programming recommendations made by the RDC Classification Committee and approved by the Classification Bureau Chief reflect the inmate's needs. The inmate is given the opportunity to request changes after being informed of the programs and services that are available at the institution.

The inmate will appear before the program review to discuss the inmate's initial housing, work, program and treatment assignments at the institution.

To the extent possible, these assignments will be made in a manner that reflects the inmate's preferences. The inmate is allowed to participate in the committee's proceedings and to provide the committee with relevant information.

At the conclusion of the meeting, the program review makes the specified assignments for the inmate and permanent housing. The inmate is provided a copy of these assignments.

An inmate, who is not satisfied with the classification decision made by the program review or classification committee, may file an appeal in accordance with the New Mexico Departmental Classification Appeals Procedure, NMCD Policy 081600.

During program review, the inmate is assigned a Case Manager who is responsible for ensuring that the inmate's classification is regularly reviewed in accordance with established schedules. Inmates may request a classification review in writing for evaluation of any programming placement. The classification committee review is established to make changes in general program review such as basic classification assignments, including good time recommendations and job assignments. The classification committee shall provide the inmate with a copy of any changes made. If the inmate is not satisfied with these decisions, he may file an appeal as outlined above. The classification committee will review job placements outside the facility, any custody changes, and transfer requests.

As the foregoing description should make it clear, the Classification System in New Mexico is designed to provide inmates the fullest possible opportunity to participate in the classification process and, if necessary, to appeal classification decisions to a higher authority. At each step of the process, the inmate's active participation is encouraged. By assuring full inmate participation in the process, the New Mexico Department of Corrections attempts to maintain a classification system that is rational, fair and objective.

Classification Reviews

Inmates will be provided the opportunity for a classification review every 6 months. Inmates classified as Level I, Level II or serving a life sentence will receive a classification review every 12 months.

The inmate's Case Manager is responsible for ensuring the inmate's classification is reviewed regularly in accordance with the established review schedules. The Case Manager will conduct these reviews, unless the inmate indicates in writing that he wishes to waive the scheduled review. During the review, the Case Manager completes a **Custody Classification Scoring Form** and **The Program Review and Assessment** and provides the inmate with copies. The Case Manager will interview the inmate to determine whether the inmate desires a change in classification related assignments. In addition the SRNS tool will be completed on as part of the inmate's classification review process.

In addition to regularly scheduled classification reviews, inmates may request a classification review in writing, at any time, for evaluative or programming placement purposes.

INMATE DISCIPLINE

It is the policy of this institution to provide a safe environment for both inmates and staff and to offer programs for all inmates who wish to develop their potential for establishing and maintaining a successful community adjustment following their release. In order to implement this policy, it is essential that reasonable standards of discipline and control be established and maintained through written guidelines in accordance with the following objectives:

1. Require individual inmate compliance with reasonable behavior standards and limitations.
2. Ensure the general welfare and safety of all persons living and working within the institution.
3. Establish and maintain fair disciplinary procedures and practices based on due process.

PENALTIES FOR VIOLATIONS

Facts establishing that a prisoner committed an offense while acting under duress may be raised by the prisoner and shall be considered where appropriate as a defense to, or in mitigation of any sanctions for, any offense set forth in this Exhibit I.

If a prisoner commits more than one offense resulting from a single incident, separate sanctions may be imposed consecutively. Any disciplinary segregation of more than 30 days for a single incident requires approval of the Warden.

CATEGORY 'A' OFFENSES:

A(1) Murder: Intentionally causing the death of another person. The Hearing Officer shall have one discretion to modify the charge and convict the inmate of one offense of **Manslaughter or an Assault** charge if the hearing officer finds that the inmate did not intentionally cause the death, but instead the inmates conduct met the elements of an assault charge.

A(2) Manslaughter: Recklessly causing the death of another person, with or without premeditation, upon a sudden heat of passion caused by a serious and highly provoking act, affecting the inmate sufficiently to excite an irresistible passion in a reasonable person, causes the death of another person. The Hearing officer shall have the discretion to modify the charge to convict the inmate of the offense of an **Assault** charge if the Hearing Officer finds that the inmate's conduct did not meet one elements of manslaughter, but met the elements of an assault charge.

A(3) Taking of Hostages or Kidnapping: The inmate commits this by seizing or carrying any person from one place to another, or holding a person without their consent with the intent to force the victim or any other person to make any concession(s) or give up anything of value in order to secure the release of the person under the inmate's actual or apparent control.

A(4) Arson: Without authorization setting fire to burn, cause to be burned, or by the use of any explosive or combustible device, damages or destroys or causes to be damaged or destroyed, any structure or property.

A(5) Battery: Intentionally or through negligence or recklessness causing injury to another person or applying any physical force, offensive substance (such as feces, urine, mucous, blood, saliva, etc.) or any other item or hazardous substance against any person regardless whether or not injury occurs. The Hearing Officer shall have the discretion to modify the charge and convict the inmate of the offense of **Fighting**.

A(6) Assault or Battery with a Weapon on Another Person: Use of any type of object or instrument to threaten, strike or attempt to strike another person.

A(7) Assault or Battery without a Weapon on a Staff Member or Visitor: Without a weapon, striking or by actions, posture, stance or other means, threatening to strike another person (who is a staff member or visitor, but not an inmate), and under circumstances where that other person could reasonably believe that he/she was about to be struck by the inmate.

A(8) Assault or Battery without a Weapon on an Inmate: The inmate commits this when they threaten to strike, strikes or by their actions, posture, stance, or other means implied to another inmate that they are about to be struck. The Hearing Officer may modify the charge and convict the inmate of the charge of **Fighting**.

A(9) Engaging in Riot: Two (2) or more persons, participating in conduct that creates serious danger or damage or injury to property or persons and obstructs the performance of

facility functions. The Hearing Officer may have the discretion to modify the charge or convict the inmate of the offense **Advocating or Creating Facility Disruption**.

A(10) Inciting to Riot: Urging or organizing two (2) or more inmates to imminently engage in a riot, and such incitement is likely to produce a riot, or once a riot begins, the inmate assumes a position of command or instruction in furtherance of the riot. The Hearing Officer shall have the discretion to modify the charge and convict the inmate of **Advocating or Creating Facility Disruption**.

A(11) Escape with Force: By force or threat of force, removing oneself from the confines of the institution or from official custody while beyond the confines of the institution. The Hearing Officer shall have the discretion to modify the charge and convict the inmate of **Escape without Force** if the hearing officer finds the inmate does not use force or the threat of force.

A(12) Escape Without Force: Without proper authority, removing oneself from the confines of the institution, failing to report to work or other assignment or fails to return to official custody following temporary leave granted for a specified period of limited duration.

A(13) Possession of Escape Paraphernalia Having in possession, or receiving from or giving to another inmate, or fashioning or manufacturing, or introducing or arranging to introduce into the facility, any escape paraphernalia including, but not limited to:

- a.) Lock, lock pick, trip wires, locking devices, chain, rope, ladder, tool(s), or other items which could be used to effect an escape; and/or,
- b.) Mask, wig or disguise or any means of altering normal physical appearance which would make identification of an inmate difficult; and/ or
- c.) Mannequin, dummy, replica of a human body, or any item or device which would cause any inmate to be considered as being present at a designated time and place when in fact, the inmate would be absent, or which could in any way aid or abet one escape or walkaway of an inmate; and/or
- d.) Form of securities, bond, coins, currency, legal tender, official papers or documents (other than authentic and authorized papers or documents relative to judicial or administrative proceedings) unless expressly and specifically authorized by the Warden of the correctional facility concerned; and/or
- e.) Item (s) of an Officer s uniform, civilian clothing, or staff clothing, including badges, buttons, name tags or items of personal identification unless expressly and specifically authorized by the Warden of the facility concerned.

A(14) Threats: Communicating a determination or intent (either verbally, physically or in writing) to injure another person or to commit a crime of violence or an unlawful act presently or in the future and the probable consequence of such threat or threats (whether or not such consequences, in fact, occurs) is:

- a.) To place another person in fear of bodily harm or,
- b.) To cause damage to property; or,
- c.) To jeopardize the security of the facility.

A(15) Abuse of medication: In any way, storing, saving, giving away or removing any prescription without authorization.

A(16) Possession of Syringe or Drug Paraphernalia: Possession of a syringe or other implement capable of injecting a substance under the skin of any individual, including himself and/or possesses an article, equipment, or apparatus capable of administering or injecting a dangerous drug or volatile substance.

A(17) Refusal to Submit to a Drug Test: Failing or refusing to submit to any test for the unauthorized use of dangerous drugs requested by any employee of or under contract to the D.O.C. This includes removing or tampering with any drug detection patches or devices or apparatus used for drug testing.

A(18) Possession or Use of Dangerous Drugs: Possessing, using any unauthorized dangerous drug.

A(19) Dealing in Dangerous Drugs: Selling, introducing, attempting to introduce, or conspiracy to introduce, or give away any quantity of any item defined as dangerous drugs.

A(20) Possession of Dangerous Contraband: Possessing, using or having under control or in custody any item defined as dangerous contraband.

A(21) Sexual Misconduct: The inmate commits this when they;

- a.) Touching or having active or passive sexual contact or fondling of the genitals, mouth, anus, breast or buttocks of another person, and the person consents to such conduct; regardless of whether the touching or contact is to clothed or unclothed parts of the body.
- b.) Displaying one 's anus, genitals, buttocks or female breast(s) to another person, regardless of the other persons expressed or implied consent to the accused inmate's conduct or;
- c.) Masturbating in the presence or direct vision of another person regardless of the other party's expressed or implied consent to the conduct.

A(22) Rape: Having sexual intercourse, contact with or penetration of the genitals, hand(s), mouth or anus of another person:

- a.) Having impaired the power of the other person to apprise or control their conduct by administering or employing drugs, intoxicants or similar means, or;
- b.) Person to submit by any misrepresentation or threat of violence, or
- c.) The other person suffers from mental disease, defects or inadequacy that is reasonably apparent or known to the accused inmate, which, in fact, renders the other person incapable of understanding the nature of their contact or being aware of the nature of the act committed, or;

- d.) The other person is unconscious or otherwise physically incapable of resisting and has not consented to the act.
- e.) The Hearing Officer shall have the discretion to modify the charge and convict the inmate of the charge of **Sexual Harassment or Sexual Misconduct**.

A(23) Robbery or Extortion: Using or threatening to use physical force or improper pressure upon another person for the purpose of:

- a.) Preventing or overcoming resistance to the taking of property or to the retention thereof immediately after the taking, or
- b.) Compelling the owner of such property or another person to deliver or give up possession of the property.
- c.) The Hearing Officer shall have the discretion to modify the charge and convict the inmate of the charge of **Theft or Bartering**.

A(24) Bribery: Offering to confer, conferring, or agreeing to confer anything of value upon any staff member or other inmate(s) with the intent to influence that person's or inmate's exercise of discretion or other action in any capacity.

A(25) Forgery: Creating or altering a document with intent to deceive.

A(26) Fraud:

- a.) Through deception, trickery or false claim attaining anything of value.
- b.) Altering, destroying, concealing or removing anything with intent to impair its authenticity or availability.
- c.) Presenting or using anything which one knows to be false with intent to deceive.

A(27) Participating in, Contributing to, or Impeding Control of a Disturbance in any Area either Physically or Verbally: Any action or statement made by an inmate which impedes staff or administration from the ability to control a disturbance.

A(28) Tampering with Locks or Security Items: Without authorization, locking, unlocking or altering in any way, any lock, locking system or security and/or using any unauthorized lock or security item.

A(29) Possession of Key or Key Pattern: Possessing a key or key pattern to any lock. A key pattern is any substance upon which the impression of a key is made.

A(30) Tattooing and/or Possession of Tattoo Paraphernalia: Receive a tattoo giving a tattoo or having in possession any tattooing paraphernalia to include but not limited to patterns, ink, needles or and electrical appliances.

A(31) Attempt or Complicity.- The charge of complicity and attempt may be used in

conjunction with any appropriate Category A offense(s) and the Hearing Officer may impose the same penalty prescribed for the substantive offense(s)

A(32)Advocating or Creating Facility Disruption: Transmitting or attempting to transmit through any form of communication or action, threats, demands, actions or suggestions which advocate disruption or interfere with or disrupt operations including refusing to be moved from an area or structure such as a recreation pen, search cell, shower, program area, etc, or refusing to be restrained.

A(33)Possession of Gang Paraphernalia: Displaying or possessing Security Threat Group/Street Gang paraphernalia i.e., colors, symbols, signs, insignias or gang related documents.

A(34)Engaging in Security Threat Group/Street Gang Activity: Recruiting, assaulting, theft(s), extorting and drug trafficking or conspiring to commit the above mentioned acts.

A(35)Acts Constituting a Felony: Any act not listed above that would be a felony under the Criminal Code of the State of New Mexico or the laws of the United States of America.

A(36) Attempt to Engage in or Engaging in any Unauthorized or Inappropriate Relationship: An inmate commits this when he/she attempts to engage in or engages in any personal or romantic relationship with a staff member, contract employee, volunteer, etc. whether it be verbally, physically, or in writing.

CATEGORY 'B' OFFENSES:

The offenses in Category 'B' will be considered to be major if one or more of the following elevating factors is found to be present by the Disciplinary Officer or Hearing Officer:

- a.) A life threatening incident is involved;
- b.) A threat to the security of the institution;
- c.) The specific behavior is repeated or has previously been found guilty of any disciplinary actions within the previous twelve months;
- d.) Substantial property damage or loss has occurred and;
- e.) Any injury received was not of a minor nature and required medical attention.
- f.) The offense was committed by more than one person, excluding offenses in which more than one person is required to commit the offense.

These principles apply to the following offenses:

B(1) Perjury: Knowingly making a false statement under oath or affirmation or swearing or affirming the truth of a statement previously made knowing the statement to be false.

- B(2) Knowingly Making a False Statement to any Staff Member:** Knowingly providing untrue statements or information, either verbally or in writing, in any attempt or effort to mislead staff.
- B(3) Count interference:** Causing or participating in any interference, delay, disruption or deception with regard to the process of counting part or all of the inmate population, including, but not limited to, hanging, fastening, or attaching any sheet blanket, curtain, drapery or other material whether transparent or not on any part of the front or door or cell or around a dormitory bed or other immediate sleeping area without the permission of an authorized staff member.
- B(4) Interference with Search:** Refusing to allow, obstructing or hindering in any way any authorized person in their search of any person, housing unit, or cell.
- B(5) Failure to Program:**
- a.) Failing to perform programs as assigned and/or;
 - b.) Failing to report to any work assigned and/or;
 - c.) Departing from their appointed place of duty or assignment without authorization.
- B(6) Willful refusal without a statutory or regulated exemption to participate in the Inmate Literacy Program. (ILP) Statutory requirement**
- B(7) Unauthorized Absence without Proper Authority:**
- a.) Departing from any place where they were directed to remain by any staff or facility regulations.
 - b.) Being away from an assigned area.
- B(8) Violating a Condition of Furlough, School or Work release or other Community Activities.**
- B(9) Presence in Unauthorized or Restricted Areas:** Entering or remaining in any area without permission or after being ordered in any manner, not to enter or remain in an area.
- B(10) Gambling:** Playing for money or other thing of value at any game including, but not limited to, those played with cards or dice, or bets on the side or hand of those playing or betting anything of value on the outcome of any observable event or ascertainable happening or organizing or being in possession of any game of chance, lottery, betting pool, betting slips or records, or being in possession of other similar devices.

- B(11) Violation of Visiting Regulations:** Engaging in any conduct with visitor(s) or engaging in any other conduct in violation of facility visiting regulations.
- B(12) Alteration of any food or drink.**
- B(13) Sexual Harassment:** Subjecting another person to sexual conduct, through physical action, and/or verbal or written statements, and the other person does not express or imply consent to the accused inmate's conduct.
- B(14) Verbal Abuse or Gestures:** Subjecting another person to abusive, offensive or defamatory language or gestures.
- B(15) Possession of Unauthorized Legal Documents:** Possessing legal documents of another inmate outside the immediate presence of the inmate to whom the documents belong.
- B(16) Disobeying a Lawful Order:** Refusing to obey a verbal or written lawful order or instruction given by any staff member, acting within the scope of their authority.
- B(17) Association:** While assigned to an off grounds or outside detail or work crew, associating or communicating with another person without first receiving authorization.
- B(18) Fighting or Horse Play:** The inmate commits this when they engage in any physical altercation including, but not limited to exchange of blows, shoves, kicks, or any offensive physical contact disrupts or threatens to disrupt the orderly running of the institution.
- B(19) Contempt of Committee:** The inmate commits this when they act in any manner that is considered disruptive while in or in the immediate area of which any committee or hearing is being conducted or in session, such as, but not limited to, Parole Board, Probation, Classification and Disciplinary.
- B(20) Entering into Contract:** The inmate commits this when they enter into any contract or engages in any business without the express permission of the Warden.
- B(21) Any unauthorized use of any Institutional Equipment: i.e.**
Telephones, computers, fax machines, copy machines, tools, etc. Failure to abide by facility telephone rules or regulations.
- B(22) Violation of any Correspondence Regulation(s).**
Failure to abide by facility correspondence rules or regulations.
- B(23) Possession of tokens, tickets or script beyond the amount specified by policy.**
Failure to abide by facility rules and regulations pertaining to inmate tokens, tickets or script.

- B(24) Bartering, Selling Goods and Commodities or Services:** Bartering, loaning, selling, giving, receiving, borrowing or buying any item without the prior knowledge and permission of the appropriate staff member including, but not limited to, those items sold in canteen, clothing, housing furnishings, art and hobby craft services or transfers or attempts to transfer funds from the trust or banking account of one inmate to that of another inmate.
- B(25) Possession of Contraband Items:** Possessing anything not allowed to be received through the mail, not sold at canteen or issued by the State, out of its original condition, not permitted by the Warden or otherwise not permitted to be retained or belonging to another inmate and out of their immediate possession.
- B(26) Damage to Property:** Intentionally or through recklessness, damaging or causing to be damaged or altered any property, such as, but not limited to, that of the State or that of a person.
- B(27) Theft:** Knowingly obtaining or exercise control over property or services belonging to another.
- B(28) Possession of Stolen Property:** Being in possession of property of another.
- B(29) Alteration of a Cell, Living Area, Housing Unit or Facility:**
In any way altering any electrical, plumbing fixtures, blocking of vents; exchanging cell furnishings, placing furniture or TV from activity areas into cells; writing, painting, hanging or displaying anything on any walls, on ceiling, on or over doors and doorways, over or on windows or cell fixtures except where provided by institutional rules and regulations.
- B(30) Sanitary Violation:**
- a.) Willfully urinating or defecating in anything other than the facilities provided for such functions, or;
 - b.) Willfully failing or refusing to shower at least once a week, or;
 - c.) Willfully failing to keep their body, hair and clothes in as clean, sanitary, neat and odor-free condition as possible under the circumstances of their particular custody, or;
 - d.) Willfully failing to keep their cell or immediate sleeping area clean, odor-free, sanitary, free of trash and debris and available to the visual observation of a staff member, or;
 - e.) Intentionally committing acts that could be hazardous to the health of any person within the facility, or;

f.) Disposing of any form of trash or waste in any place other than those specifically designated for waste disposal.

B(31) Failure to Display Identification, Name, Number and/or Card:

Failing to display one's identification, name, number and/or card in the manner as prescribed by the Warden's directives and policy.

B(32) Failure to Obtain Permit: Failure to obtain a permit for any item or activity as prescribed by policy or the Warden.

B(33) Failure to follow Published Rules or Regulations: Violating any posted facility or State rule or regulation of which they have, or through the exercise of reasonable diligence, should have, knowledge.

B(34) Self Mutilation: Engaging in self-mutilation not caused by psychiatric or psychological problems.

B(35) Using off-hours calls (medical, mental health, Duty Officer) for unrelated, non-emergency issues.

B(36) Attempt or Complicity: Charges of complicity and attempt may be used in conjunction with any appropriate offense and the Hearing Officer/Disciplinary officer may impose the same penalty for the substantiated offense.

B(37) Acts Constituting Misdemeanor: Any act not listed above that would be a misdemeanor under the Criminal Code of the State of New Mexico or the laws of the United States of America.

B(38) Improper Legal Assistance: An inmate providing legal assistance to another inmate related to a qualified legal claim.

CATEGORY A OFFENSE SANCTIONS

OFFENSES CATEGORY A OFFENSES	LOSS OF PRIVILEGES (MAX DAYS)	PUNITIVE SEGREGATION (MAX DAYS)	LOSS OF GOOD TIME (MAX DAYS)
MURDER	365 DAYS	365 DAYS	ALL GOOD TIME
MANSLAUGHTER	365 DAYS	365 DAYS	ALL GOOD TIME
TAKING OF HOSTAGES	365 DAYS	365 DAYS	ALL GOOD TIME
ARSON	180 DAYS	180 DAYS	ALL GOOD TIME
BATTERY	180 DAYS	120 DAYS	ALL GOOD TIME
ASSAULT OR BATTERY WITH A WEAPON ON ANOTHER PERSON	180 DAYS	120 DAYS	ALL GOOD TIME
ASSAULT OR BATTERY WITHOUT A WEAPON	180 DAYS	120 DAYS	ALL GOOD TIME
ASSAULT OR BATTERY WITHOUT A WEAPON ON AN INMATE	180 DAYS	120 DAYS	ALL GOOD TIME
ENGAGING IN A RIOT	365 DAYS	365 DAYS	ALL GOOD TIME
INCITING A RIOT	365 DAYS	365 DAYS	ALL GOOD TIME
ESCAPE WITH FORCE	365 DAYS	365 DAYS	ALL GOOD TIME
ESCAPE WITHOUT FORCE	365 DAYS	365 DAYS	ALL GOOD TIME
POSSESSION OF ESCAPE PARAPHERNALIA	365 DAYS	365 DAYS	ALL GOOD TIME
THREATS	90 DAYS	90 DAYS	ALL GOOD TIME
ABUSE OF MEDICATION	90 DAYS	90 DAYS	ALL GOOD TIME
POSSESSION OF SYRING OR DRUG PARAPHERNALIA	90 DAYS	90 DAYS	ALL GOOD TIME
REFUSAL TO SUBMIT TO A DRUG TEST	90 DAYS	90 DAYS	ALL GOOD TIME
POSSESSION OR USE OF DANGEROUS DRUGS	90 DAYS	90 DAYS	ALL GOOD TIME
DEALING IN DANGEROUS DRUGS	120 DAYS	120 DAYS	ALL GOOD TIME
POSSESIUON OF DANGEROUS CONTRABAND	120 DAYS	120 DAYS	ALL GOOD TIME
SEXUAL MISCONDUCT	120 DAYS	120 DAYS	ALL GOOD TIME
RAPE	365 DAYS	365 DAYS	ALL GOOD TIME
ROBBERY OR EXTORTION	180 DAYS	180 DAYS	ALL GOOD TIME
BRIBERY	120 DAYS	120 DAYS	ALL GOOD TIME
FORGERY	120 DAYS	120 DAYS	ALL GOOD TIME
FRAUD	90 DAYS	90 DAYS	ALL GOOD TIME
PARTICIPATING IN, CONTRIBUTING TO, OR IMPENDING CONTROL OF DISTURBANCE IN ANY AREA EITHER PHYSICALLY OR VERBALLY	180 DAYS	180 DAYS	ALL GOOD TIME
TEMPERING WITH LOCKS OR SECURITY ITEMS	90 DAYS	90 DAYS	ALL GOOD TIME
POSSESSION OF KEY OR KEY PATTERN	120 DAYS	120 DAYS	ALL GOOD TIME
TATTOOING AND/OR POSSESSION OF TATTOO PARAPHERNALIA	90 DAYS	90 DAYS	ALL GOOD TIME
ATTEMPT OR COMPLICITY	60 DAYS	60 DAYS	ALL GOOD TIME
ADVOCATING OR CREATING FACILITY DISRUPTION	90 DAYS	90 DAYS	ALL GOOD TIME
POSSESSION OF GANG PARAPEHERNALIA	90 DAYS	90 DAYS	ALL GOOD TIME
ENGAGING IN SECURITY THREAT GROUP/STREET GANG ACTIVITY	90 DAYS	90 DAYS	ALL GOOD TIME
ACTS CONSTITUTING A FELONY	365 DAYS	365 DAYS	ALL GOOD TIME
ATTEMPT OF ENGAGING IN A PERSONAL RELATIONSHIP WITH A MEMBER OF STAFF ETC.	90 days	180 days	All good time

CATEGORY B OFFENSE SANCTIONS

OFFENSES CATEGORY B OFFENSES	LOSS OF PRIVILEGES (MAX DAYS)	PUNITIVE SEGREGATION (MAX DAYS)	LOSS OF GOOD TIME (MAX DAYS)
PERJURY	60 DAYS	30 DAYS	30 DAYS
KNOWINGLY MAKING A FALSE STATEMENT TO ANY STAFF MEMBER	60 DAYS	30 DAYS	30 DAYS
COUNT INTERFERENCE	60 DAYS	30 DAYS	30 DAYS
INTERFERENCE WITH SEARCH	60 DAYS	60 DAYS	60 DAYS
FAILURE TO PROGRAM	45 DAYS	180 DAYS	45 DAYS
WILLFUL WITHOUT A STATUTORY OR REGULATED EXEMPTION TO PARTICIPATE IN THE INMATE LITERACY PROGRAM	45 DAYS	30 DAYS	45 DAYS
UNAUTHORIZED ABSENCE	45 DAYS	30 DAYS	60 DAYS
VIOLATING A CONDITION OR FURLOUGH, SCHOOL OR WORK RELEASE OR OTHER COMMUNITY ACTIVITIES	60 DAYS	30 DAYS	60 DAYS
PRESENCE IN UNAUTHORIZED OR RESTRICTED AREAS	30 DAYS	60 DAYS	30 DAYS
GAMBLING	30 DAYS	30 DAYS	30 DAYS
CONDUCT WITH VISITORS IN VIOLATION OF FACILITY VISITING REGULATIONS	60 DAYS	30 DAYS	120 DAYS
ALTERATION OF ANY FOOD OR DRINK	90 DAYS	90 DAYS	120 DAYS
SEXUAL HARASSMENT	45 DAYS	45 DAYS	90 DAYS
VERBAL ABUSE OR GESTURES	45 DAYS	30 DAYS	60 DAYS
POSSESSION OF UNAUTHORIZED LEGAL DOCUMENTS	30 DAYS	30 DAYS	30 DAYS
DISOBEYING A LAWFUL ORDER	120 DAYS	120 DAYS	120 DAYS
ASSOCIATION	90 DAYS	90 DAYS	120 DAYS
FIGHTING OR HORSEPLAY	120 DAYS	60 DAYS	120 DAYS
CONTEMPT OF COMMITTEE	60 DAYS	45 DAYS	45 DAYS
ENTERING INTO CONTRACT	30 DAYS	30 DAYS	45 DAYS
ANY UNAUTHORIZED USE OF INSTITUTIONAL EQUIPMENT	90 DAYS	90 DAYS	120 DAYS
VIOLATION OF ANY CORRESPONDENCE REGULATION(S)	60 DAYS	45 DAYS	90 DAYS
POSSESSION OF TOKENS, TICKETS OR SCRIPT BEYOND THE AMOUNT SPECIFIED BY POLICY	60 DAYS	60 DAYS	90 DAYS
BARTERING, SELLING GOODS AND COMMODITIES OR SERVICES	60 DAYS	60 DAYS	90 DAYS
POSSESSION OF CONTRABAND ITEMS	120 DAYS	120 DAYS	180 DAYS
DAMAGE TO PROPERTY	120 DAYS	120 DAYS	180 DAYS
THEFT	120 DAYS	120 DAYS	180 DAYS
POSSESSION STOLEN PROPERTY	120 DAYS	120 DAYS	180 DAYS
ALTERATION OF A CELL, LIVING AREA HOUSING UNIT OR FACILITY	120 DAYS	120 DAYS	180 DAYS
SANITARY VIOLATION	20 DAYS	10 DAYS	30 DAYS
FAILURE TO DISPLAY IDENTIFICATION, NAME, NUMBER AND/OR CARD	45 DAYS	30 DAYS	60 DAYS
FAILURE TO OBTAIN PERMIT	20 DAYS	10 DAYS	30 DAYS
FAILURE TO FOLLOW PUBLISHED RULES OR REGULATIONS	60 DAYS	45 DAYS	60 DAYS
SELF-MUTILATION	90 DAYS	30 DAYS	90 DAYS
ATTEMPT OR COMPLICITY	90 DAYS	45 DAYS	90 DAYS
ACTS CONSTITUTING MISDEMEANOR	365 DAYS	365 DAYS	ALL GOOD TIME
IMPROPER LEGAL ASSISTANCE	60 days	30 days	60 days

DISCIPLINARY PROCESS

1. Informal resolution of minor incidents is encouraged. However, when any employee witnesses any act which would constitute a major or minor offense, or has reasonable belief that a serious violation has occurred, the employee has a responsibility to prepare a misconduct report.
2. The initial misconduct report should contain the date and time of the violation, (or if unknown the date and discovery), the date and time the report was written and the date and time the report was submitted to the shift supervisor for review. The report should include the specific rule (s) violated; a formal statement of the charge; any unusual inmate behavior; any staff witnesses; disposition of any physical evidence; any immediate action taken, including the use of force; and the reporting officer's signature.
3. The reporting employee must complete the inmate misconduct report and submit it to a security supervisor for review within one (1) working day of the date of discovery. An extension of this time limit may be granted by the Warden for extenuating circumstances.
4. Upon receipt of the report the supervisor will conduct a preliminary investigative report. The investigation will be completed within 24 hours of the time the violation is reported and will be completed without delay, unless there are exceptional circumstances for delaying the investigation. During this investigation the inmate will be asked to make a statement regarding the incident.
5. During the review if the supervisor determines that the information is not accurate, is incomplete or that the body of the report does not support the charge (s) listed, he/she may return the Inmate Misconduct Report to the reporting staff member for correction or to clarify discrepancies. Clerical errors may be corrected in the event the reporting staff member is not available. Provided, however the reviewing supervisor has no authority to change the substance of the reporting staff member's specific statement of facts as to what the staff member is reporting.
6. Within one (1) working day of the receipt of the report, the Disciplinary Officer will begin an investigation. The investigation will include, but is not limited to, providing the inmate a copy of the misconduct report, conducting interviews, and gathering evidence and statements. The investigation will be completed promptly unless exceptional circumstances cause a delay. An employee shall not serve as disciplinary officer in any case in which that employee was the reporting staff member.
7. If any amendment of the charges or other information on the report is made, the inmate should be informed in writing of the amendment at least twenty-four (24) hours prior to the hearing unless waived by the inmate. However, correction of clerical errors does not require 24 hour prior notice and can occur at anytime; but should be part of the record. The Inmate Misconduct Report will be reviewed for the following;
 - a. That all dates, times, and charges are properly indicated.

- b. That the report narrative is clearly written and supports the charges cited.
 - c. That any unusual inmate behavior, witnesses, disposition of physical evidence, immediate action or use of force are stated in the report.
 - d. That the reporting staff member has signed the report.
8. During the investigation, if the Disciplinary Officer determines that information is not accurate, is incomplete or that the body of the report does not support the charge (s) listed, he/she may return the Inmate Misconduct Report to the reporting employee for correction or to clarify discrepancies. Clerical errors may be corrected in the event the reporting employee is not available. Additional charges not listed by the reporting employee which are justified in the body of the report may be added in the absence of the reporting employee, when the reporting employee is not available. Other than clerical errors, the Disciplinary Officer has no authority to change the reporting staff member specific statement of facts as to what the staff member is reporting.
 9. The Disciplinary Officer will fill out the Disciplinary Investigation Report.
 10. At least 24 hours prior to the hearing, the disciplinary/hearing officer will provide the inmate with a copy of all documentation to be presented at the hearing, with the exception of confidential information.
 11. Whenever an inmate poses a threat to others, the security of the institution or the public, the Security Supervisor must be notified immediately so that prompt, appropriate steps may be taken to control the situation.
 12. When the above circumstances exist, and PHD is required, the Security Supervisor will place the inmate in restraints and the inmate will be escorted/ transported to the appropriate PHD location. The inmate's PHD status will be reviewed by the Chief of Security within seventy-two (72) hours. (Excluding weekends and holidays)
 13. Hearing on minor level reports will be conducted as follows: The Disciplinary Officer will conduct an informal hearing, which need not be tape-recorded. The inmate is not entitled to a representative. The inmate may request that witnesses be examined and statements taken, but witnesses other than the inmate charged shall not appear at the hearing. The inmate charged may present his/her own statement and any relevant evidence.
 14. The Disciplinary Officer shall submit a written recommended decision to the Deputy Warden as soon as practicable, but no later than 10 working days, unless prevented by exceptional circumstances. Reasons for the delay should be documented. The Disciplinary Officer may recommend either dismissal of the charges or impose minor sanctions allowed for the offense for which the inmate was cited.
 15. Major level hearings are formal hearings and will ordinarily be tape-recorded.
 16. The inmate may request the assistance of another inmate or staff member in the preparation and/or presentation of the case. Inmates are not entitled to be represented by legal counsel at

hearings before the Hearing officer. If the inmate being charged cannot read and write English adequately to comprehend the charge and present a defense, assistance will be provided by the person capable of communicating with the inmate and the Hearing Officer.

17. The Hearing Officer will produce a written summary of the proceedings including a summary of the evidence, excluding identifying information on confidential sources. The Hearing Officer will also provide a written recommended decision as soon as practicable, but no later than 10 working days following the conclusion of the hearing, unless prevented by exceptional circumstances. Reasons for delay shall be documented.
18. All recommended dispositions by the Disciplinary/Hearing Officer shall be forwarded to the Deputy Warden for review. If an institution is not staffed with a Deputy Warden an Associate Warden will conduct the review. This review should ensure that the hearing was conducted in accordance with procedures and that the action taken conforms to established policy.
19. A copy of the final disposition will be given to the inmate along with the Misconduct Report Appeal form within five (5) working days of the Deputy Warden's review, unless prevented by exceptional circumstances.

INMATE DISCIPLINARY APPEALS

1. Any inmate may appeal the Hearing Officer's decision as approved by the Deputy Warden or the Warden for final adjudication of the matter. The decision of the Warden may be subject to review by the Secretary of Corrections.
2. The inmate shall have 15 calendar days after the date the inmate receives the written report of the decision of the Deputy Warden, to file a Misconduct Report Appeal on the appropriate form. These forms shall be available to all inmates, including those housed in disciplinary segregation. The notice of appeal shall state the basis for the appeal and the names of any witnesses required to substantiate the appeal. The inmate shall attach to the appeal form any relevant documents that are not already part of the record of the hearing. The department shall ensure that such documents are reasonably accessible to the inmate, and shall ensure that any inmate who request assistance in completing appeal forms is provided such assistance. If a notice of appeal is not filed as required by this section, the decision and recommendation of the Deputy Warden shall be final.
3. An inmate shall file the completed appeal form and any attachments with the Disciplinary Officer, either by personal delivery or by placing the materials in an envelope addressed to the Disciplinary Officer and placing that envelope in the mailbox designed for legal mail. Inmate in segregated housing may file appeal forms by submitting them to a Classification Officer or Security Supervisor assigned to that housing unit. The staff member receiving the appeal shall deliver the forms to the Disciplinary Officer or in the case of administrative segregation inmates, deliver to the Classification Officer or Security Supervisor.

- a. Upon receipt of the appeal materials forwarded by the Disciplinary Officer, the Warden shall consider the appeal on-the-record. The Warden may order a new hearing if it appears from the appeal materials that the inmate was not given the opportunity to present then existing or newly discovered relevant evidence at the hearing. Appeals based on frivolous contentions shall be dismissed.
 - b. The burden of proof is on the inmate to prove the contentions stated in the notice of appeal.
4. The Warden shall provide the inmate with a copy of the final decision within five (5) working days.
 5. There is no absolute right of appeal to the Secretary. However, the Secretary or designee shall have final authority in reviewing the Warden's summary, findings and conclusions. The Secretary may order any remedy. In ordering a new hearing, the Secretary may limit the new hearing to the purpose of permitting the presentation of new evidence. After the Secretary has rendered a final decision on the appeal, the Warden shall notify the appellant in writing of the Secretary's decision within five (5) working days after the decision and shall forward the inmate a copy of the written summary, the findings of fact and conclusions. That disposition is final.

INDIGENT INMATES

An inmate may be eligible to receive hygiene items such as shampoo, deodorant, etc. if their trust fund account has been without funds or activity for a period of one (1) month prior to his/her request for such items.

An inmate requesting hygiene items based on indigence must submit an inmate request form through his/her caseworker requesting that he/she be issued hygiene items. A response will be given to the inmate as soon as possible.

INMATE GRIEVANCE PROCEDURE

The purpose of the Inmate Grievance Procedure is to establish an administrative means of expression and honest resolution of inmate complaints, prescribes an available channel for hearing, and resolving concerns of inmates, and may be used by any inmate under the supervision of the New Mexico Corrections Department.

Any inmate has the right to file a formal grievance if the complaint originates with an action or decision made by the Northeast New Mexico Detention Facility and is believed to adversely affect the aggrieved inmate's welfare. This may include, but is not limited to, matters of housing, mail, visiting, staff treatment, lost property or medical care.

Q: WHAT KINDS OF THINGS CAN AN INMATE FILE A GRIEVANCE ABOUT?

A: An inmate can file a grievance about:

- Institutional or Departmental policies. If the inmate has a valid complaint about the substance, interpretation, or application of these policies, he/she may file a grievance.
- Individual or employee actions.
- Any kind of harassment or discipline for participating in the grievance process.
- Any other matter relating to inmate living conditions, care, or supervision, except those noted below.
- Medical care which, if not handled as an emergency, could result in serious physical harm to the inmate.

Q: WHAT KINDS OF THINGS CAN AN INMATE **NOT** FILE A GRIEVANCE ABOUT?

A: An inmate can not file a grievance about:

- Any matter over which the Corrections Department has no control. Examples include: loss of mail by U.S. Postal Service, Parole Board decisions, sentences, tort claims, inmate compensation or any other matters regulated by statute.
- disciplinary actions.
- classification decisions.
- complaints on behalf of other inmates.
- the subject of any prior grievance on which a final decision has already been made, or which is currently under review.

Q: WHEN SHOULD AN INMATE FILE A GRIEVANCE?

A: Before using the formal grievance procedure, an inmate is expected to attempt to resolve the grievance or particular area of concern informally through discussion with the person or persons responsible for the incident, giving rise to the complaint. The inmate shall first file an informal complaint using the **Inmate Informal Complaint Form (CD-150501.3)** within five calendar days from the date of the complaint. The inmate shall explain in detail his/her complaint and address their complaint to the Unit Manager or designee in units with a Unit Manager and to the Chief of Security or designee in units without a Unit Manager. If this informal effort fails to resolve the complaint within five days of receipt of the complaint, the inmate may file an **Inmate Grievance Form (CD-150501.1)**. The inmate must file the formal grievance within 20 calendar days of the date of the complaint.

The Unit Manager, Chief of Security, or designees' shall review the inmate complaint and make every effort to resolve the complaint at an informal level within five calendar days from receipt of the complaint. A copy of all resolved complaints shall be maintained and a copy given to the inmate. All non-resolved complaints shall be returned to the inmate to be attached to the formal grievance

Q: HOW DOES AN INMATE FILE A GRIEVANCE?

A: A written formal grievance shall be filed using the **Inmate Grievance Form (CD-150501.1)**. The non-resolved Inmate Informal Complaint shall be attached to the formal grievance and be submitted to the Grievance Officer by depositing the form(s) in an institutional mailbox, a

designated Grievance Box or by delivering it in person to the Grievance Officer. **Inmate Grievance** Forms will be readily available to inmates in accessible locations within the institution. All grievances must be signed by the grievant. Copies of grievances sent to persons other than the Institutional Grievance Officer will be considered informational copies only, not requiring a response. The Grievance Officer shall notify the grievant of receipt of a grievance on an **Inmate 2-Day Notice of Receipt of Formal Grievance Form (CD-1505001.2)**.

If the Grievance Officer does not acknowledge the receipt of the grievance in writing within five working days after receipt of the grievance, the Grievance Officer will notify the grievant in writing as to the date the grievance was received and the status of the grievance.

Inmates requiring aid in completing the grievance form may be assisted by another inmate. The form will be used to briefly summarize the complaint; additional information should be attached and mailed to the Grievance Officer. Appropriate language will be used; obscenities will not be allowed unless determined relevant to the grievance.

The inmate must complete a separate grievance form for each issue grieved. The inmate must file an individual grievance even though the problem may be shared with other inmates. A group grievance will be returned to the first name on the list for compliance with this requirement.

The inmate must state what reasonable relief is being requested as a solution to any grievance. Failure to do so will result in the grievance being returned to the inmate for completion.

If the grievance relates directly to actions of the Grievance Officer, the inmate will send the completed **Inmate Grievance** Form directly to the Warden. The Warden will appoint a person who is not involved with the matter of the grievance to serve as Grievance Officer for that particular grievance.

Grievances are considered confidential communications. Sealed letters will not be opened for inspection by mailroom personnel if the letter is labeled "Grievance" and addressed to the Grievance Officer, Deputy Warden or Warden.

Q: WHAT HAPPENS AFTER THE GRIEVANCE IS FILED?

A: The Grievance Officer will review the grievance and conduct an investigation of the problem. Within twenty (20) calendar days from the date he/she receives the grievance, he/she will deliver a report to the Warden. A copy of that report will be provided to the inmate.

The Warden will either approve or disapprove of the Grievance Officer's recommendations. Within fifteen (15) calendar days of receiving the grievance, the Warden will inform the inmate in writing of his decision, including a brief explanation of the reasons for his decision. If the inmate is awarded any relief, the Warden will assign a staff member to carry out the relief within a reasonable period of time.

Q: HOW DOES AN INMATE APPEAL THE DECISION?

A: If an inmate is not granted any relief or if he/she is not satisfied with the Warden's decision, he/she may appeal to the Secretary of Corrections for final review. In order to appeal a decision, the inmate must complete the appeal portion of the Inmate Grievance Form and deliver it to the Grievance Officer within five (5) calendar days of receiving the Warden's decision.

The Grievance Officer will deliver the appeal and all relevant materials to the Grievance Coordinator within five (5) calendar days of receiving the appeal.

The Grievance Coordinator will conduct any further necessary investigations and make a recommendation to the Secretary of Corrections within twenty-five (25) calendar days of receiving the appeal.

The Secretary of Corrections or designee will make a final decision on the grievance within ten (10) calendar days of receiving the appeal.

The inmate will be informed in writing of the final decision, including a brief explanation of the reasons for the decision. Copies of this notification will be sent to both the Warden and the Grievance Officer at the institution.

If an inmate is awarded any relief, the Secretary of Corrections will assign a staff member to carry out the relief within a reasonable period of time.

Q: WHAT IF THE GRIEVANCE IS AN EMERGENCY?

A: An emergency grievance will be given priority. It is the inmate's responsibility to indicate on the grievance form and demonstrate that the grievance is urgent and will cause a risk of serious harm if not processed quickly. The Warden will decide whether or not the grievance is to be treated as an emergency.

Emergency grievances will be processed quickly at all levels of response. A response to an emergency grievance will come no later than 72 hours after the Grievance Officer receives the grievance. If the inmate is not satisfied with the way his/her emergency grievance has been handled, he/she may appeal immediately to the Secretary of Corrections through the Grievance Coordinator.

A: An emergency medical grievance will be given first priority. The Grievance Officer or other administrative staff member who receives an emergency medical grievance shall immediately notify the Facility Health Administrator, the Warden, the Director of the contract medical provider and the Corrections Department Medical Director.

The Medical Director of the contract medical provider or other physician must immediately investigate the emergency medical grievance, immediately take all appropriate action and

provide written response to the Grievance Officer and the Corrections Department Medical Director by the next working day.

Q: ARE THERE SPECIAL CONSIDERATIONS FOR GRIEVANCES RELATED TO SEXUAL ABUSE ALLEGATIONS?

A: Time limits as stated above will not be imposed on grievances submitted regarding an allegation of sexual abuse. The facility will apply otherwise-applicable time limits to any portion of the grievance that does not allege an incident of sexual abuse.

An inmate is not required to use any informal grievances processes, or to otherwise attempt to resolve the allegation of sexual abuse with the staff member. The inmate may also submit a grievance without submitting it to a staff member who is the subject of the complaint. Such a grievance will not be referred to a staff member who is subject of the complaint.

Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, shall be permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such request on behalf of inmates. If a third party files such a request on behalf of an inmate, the facility will require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and will also require the alleged victim to personally pursue any subsequent steps in the grievance process. If the inmate declines to have the request processed on his or her behalf, the agency shall document the inmate's decision.

A grievance should be filed as emergency in relation to sexual abuse, if the inmate is subject to substantial risk of imminent sexual abuse. After receiving an emergency grievance of this nature the staff member will immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to the PREA Compliance Manager and/or Warden. An initial response will be provided within 48 hours, and a final facility decision will be rendered within 5 calendar days. The initial response and final agency decision shall document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

Disciplinary action can be taken against an inmate for filing a grievance related to alleged sexual abuse if the facility can demonstrate the inmate filed the grievance in bad faith.

Q: WHAT ELSE SHOULD I KNOW ABOUT GRIEVANCES?

A: The grievance procedure is allotted 90 days from beginning to end. If a grievance is not disposed of within 90 days, the inmate will be deemed to have officially exhausted the grievance procedure. The grievance is ***not*** automatically granted.

Inmates are prohibited from misusing or abusing the grievance system. The grievance procedure is not to be used as a form of harassment against staff. Such grievances will be denied, but should not be used as the basis for any disciplinary action against the inmate.

If any inmate needs a copy of the grievance policy or emergency medical grievance policy there are copies of all grievance policies and procedures available for inmate review at the education resource center.

FIRE SAFETY PROGRAM

This institution will adhere to the standards established by the National Fire Protection Association.

Housing Unit Evacuation Plan

1. In case of fire, the pod specifically affected will be immediately evacuated.
 - a. The living area where the fire started and/or smoke is heaviest will be evacuated first.
 - b. The living area next closest to the fire/smoke will be evacuated second. (If required).
 - c. The living area furthest from the fire/smoke will evacuate last (If required).
2. Evacuation shall be made through the living area exit door least affected by the fire/smoke.
3. A count will be taken as soon as possible after the evacuation to determine if all the inmates were removed from the unit.

FIRE EVACUATION ROUTES POSTED IN EACH HOUSING UNIT

RECREATION

The philosophy of the Recreation Department is to provide the inmate with a constructive learning experience through participation in sports, intramural and leisure activities. Recreation is widely recognized as a positive outlet for tension, a confidence builder and a way to better self-esteem. Through recreation, an inmate can build valuable skills and constructive interests. The dress code for recreation is enforced. Proper dress in full uniform with shoes. The exceptions to full uniform is that inmates are allowed to wear unaltered facility approved shorts, t-shirts, and tennis shoes.

Available Recreation

The indoor gymnasium will provide the inmate with the following:

- Hand Ball
- Weight Machines
- Ping Pong
- Full or Half Court Basketball
- Volleyball
- Heavy Bag
- Speed Bag

Outdoor recreation includes:

- Volleyball
- Softball
- Handball Courts
- Horseshoe Pits

Included in recreational programs are holiday tournaments that include different in-season competitions available for participation. Initially, due to construction, recreation will only be conducted in the Gym. As we expand additional recreation services will be added.

IN POD CRAFTS

Inmates interested in participating in the In Pod Craft Program must obtain an application from their Case Manager, complete the form and return it to the Recreation Director. Inmates must have been at Northeast New Mexico Detention Facility for at least 90 days; with at least six months clear conduct from their last major disciplinary report. The inmate will supply all supplies utilized in the In Pod Craft Program. The Pod Crafts Supervisor must approve all supply orders prior to them being placed.

In Pod Craft supplies and finished products will remain in the inmate's cell unless approved by the Chief of Security.

NORTHEAST NEW MEXICO DETENTION FACILITY **INMATE PROPERTY – ALLOWED ITEMS**

- A. Allowable Items Upon Admission To NENMDF and Thereafter
1. Two small religious items not to exceed \$50.00 in value. The small religious medallion may be worn on a chain and shall constitute one item.
 2. One feather, one medicine pouch (Native American)
 3. One watch not to exceed \$50.00 in value.
 4. One pair of shower shoes

5. Two religious book in addition to the regular book allowance (Bible, Koran, Talmud, etc.)
6. Pencils / non-felt tip pens, not to exceed a total of five
7. One pair of corrective glasses. No sunglasses will be allowed unless authorized by NENMDF Medical Personnel.
8. One pair of athletic shoes, not to exceed \$50.00 in value.
9. One pair of state issued shoes, of an additional pair of personal shoes arrived with or purchased thru the unit commissary, not to exceed \$50.00 in value, i.e, athletic or house shoes.
10. One wedding band (no stones) not to exceed \$50.00 in value. Inmate must produce evidence of legal marriage. No other form of jewelry will be allowed.
11. Legal documents that must fit in designated area in accordance with policy.
12. Dentures: Inmates will be allowed to retain dentures that have been made specifically for that inmate.
13. One Photo album no larger than 12" x 12".
14. Letters/Postcards, no limit as long as storage is neat and in accordance with policy
15. White T-shirts with sleeves, without emblems or hoods – Five per inmate
16. Solid gray sweatpants / sweatshirts with no emblems, pockets, hoods or collars – Two sets per inmate.
17. Facility-issued hygiene items and any new or used toiletry / hygiene items purchased through canteen and/or inmate store – not to exceed two of each item.
18. Books – Three per inmate. (Therapeutic Community, Honor Unit, Crossings Pod will be allowed a total of seven books)

19. Magazines – Three per inmate (nudity, pornography and gang-related materials are prohibited)
20. One television with 13” maximum screen size. Televisions shall be limited to one television per room / cubicle area; must have earphone jack installed and in clear case only.
21. One portable stereo system or authorized MP3 player, shall be no larger than a Walkman AM/FM radio/cassette player with power adapter in clear case with non-detachable speakers. Earphone jacks and headphones are required. No CD Players are allowed.
22. Ten cassettes
23. Solid gray gym shorts with no emblems or pocket – two pairs per inmate
24. One small clear case battery operated alarm clock
25. One book light.
26. Clear case beard trimmers
27. Clear remote control for TV.
28. One property box purchased through the commissary
29. One inch stack of legal pad, drawing paper or loose leaf paper
30. Eight batteries A, AA, AAA only.
31. Five decks of playing cards (poker and pinochle playing cards)
32. One clear self-enclosed game system, available or purchase thru the commissary.
33. Ear phones: two sets (one for TV and one for radio)
34. The honor units will be allowed acoustic guitars with nylon strings and a soft guitar case. Hard guitar cases are not allowed.

35. Segregation inmates will receive limited property.

B. Initial Institutional Issued Property

1. One (1) sanitized mattress
2. Two (2) blankets
3. Two (2) sheets
4. One (1) pillow
5. One (1) pillow case
6. Two (2) Towels
7. Two (2) Face Clothes
8. Three (3) sets of uniforms
9. One (1) jacket (issued during winter months)
10. One (1) mesh laundry bag, assigned to each individual inmate
11. Three (3) pairs of undershorts, up to a maximum number of 7
12. Three (3) pairs of socks, up to maximum number of 7
13. One (1) pair of blue canvas shoes
14. One (1) Spork

LAUNDRY SCHEDULE

The laundry schedule is as follows:

Monday: Housing Unit One: A Pod and B Pod
Housing Unit Two: A Pod, B Pod, and C Pod
Uniforms: Blue shirts and Blue Pants
Laundry Bags: Whites Only
Towels
Segregation Laundry

Tuesday: Housing Unit One: C Pod, D Pod, and E Pod
Housing Unit Two: D Pod, and E Pod
Uniforms: Blue shirts and Blue Pants

Laundry Bags: Whites Only
Towels
City Jail Laundry

Wednesday: Housing Unit One: All pods sheets, pillowcases and white blankets
Housing Unit Two: All pods sheets, pillowcases and white blankets

Thursday: Housing Unit One: A Pod and B Pod
Housing Unit Two: A Pod, B Pod, and C Pod
Uniforms: Blue shirts and Blue Pants
Laundry Bags: Whites Only
Towels
Segregation Laundry

Friday: Housing Unit One: C Pod, D Pod, and E Pod
Housing Unit Two: D Pod and E Pod
Uniforms: Blue shirts and Blue Pants
Laundry Bags: Whites Only, Towels
City Jail Laundry

CLOTHING EXCHANGE

All clothing to be exchanged or replaced will be done in accordance with the posted clothing exchange schedules. These schedules are available in all housing unit dayrooms or a copy can be requested from a staff member. Exchange of boxers and socks, in normal circumstances, will only take place every six months. The time period will be verified by your issuance record. Blankets and uniforms will be exchanged on an as needed basis. A completed inmate request form must be submitted and be signed by the appropriate staff member in order for any clothing to be re-issued from the Warehouse.

TAILORING OF CLOTHING

Tailoring of clothing will also be done in the Laundry in accordance with the posted schedules. This service will be made available at least once a week. If the alteration takes more than one day to be completed, arrangements will be made accordingly.

PETITIONS AND MASS MEETINGS

Inmates are not permitted to initiate petitions within the Institution or elicit the viewpoints of other inmates for the purpose of completing a petition or any type of mass-signed document. Inmates are authorized to write individual letters or interview requests to any staff member. Inmates may assist a fellow inmate in completing the request forms. Inmates may also request staff for assistance in filling out forms.

RECORDS

The Records Department collects information regarding individual inmate status. This Department is also responsible for posting good time and advising inmates of any changes affecting their release. The Case Manager is available to assist with any concerns regarding sentencing information or good time deductions/credits.

FOOD SERVICE

The primary objective of the Food Service Department is to prepare a nutritionally balanced meal served in an appetizing manner. Please keep in mind that food is not to be wasted. Your diet will provide 3,000 calories per day.

It will be the responsibility of the inmate to line up in single file when their assigned unit is called for chow. Each inmate is to receive only one tray, per meal. Upon receiving your tray you will report to a table in the dayroom to consume your meal. When you have completed your meal the trays is to be placed in a stack against the wall next to the doorway.

Special diets are available to those with religious or medical requirements. Requests for religious diets must be initiated through your Case Manager or Chaplain. The Unit Physician will prescribe medical Diets. No pork or pork products are served.

USE OF TELEPHONES

Inmates may place collect telephone calls from telephones located in their housing units. An Inmate must first request a Personal Identification Number (PIN) by completing the Call List Request Form and submitting it to his case manager. THESE CALLS MAY BE MONITORED AND RECORDED BY THE INSTITUTION. All Inmates are expected to adhere to the time limits imposed to ensure adequate opportunity for everyone to use the telephone. Three-way calling or use of another inmate's pin number is not allowed. Specific information related to these subjects can be found in NENMDF 21.002. Violation of this will result in termination of that phone number.

In the event of personal emergency, requests for the use of a Facility telephone may be made to the Inmate's case manager, or after hours the shift supervisor. An emergency is defined as:

1. Emergency hospitalization of immediate family such as the inmate's parents, wife, children, brother(s), sister(s), grandparent(s), or guardian, as the result of an accident, catastrophic illness, or serious injury.
2. Death in the immediate family.

Any Inmate wishing to place a privileged (confidential) telephone call to an attorney may do so after completing the Privileged Phone Call Request form and submitting it to his case manager. After the request has been approved, the call will be made collect to the attorney, and the call will be visually monitored.

All phone calls made, other than collect or with a pin number will incur a charge of \$0.20 per minute.

ESCORTED FURLOUGHS

Inmates may be considered for an escorted furlough within the state of New Mexico to obtain medical care not available in the institution or within the New Mexico Corrections Department. Escorted visits may also be considered or to participate in approved community activities that can have a positive influence on the inmate. Any request for an escorted furlough must be channeled through the inmate's respective Case Manager. The NMCD and the Northeast New Mexico Detention Facility Warden have final authority on these requests.

The inmate will be financially responsible for funeral/bedside visit expense. This expense includes the Officers salaries, meals, and vehicle mileage charges.

There will be random drug screenings performed on all inmates.

OFFENDER PROTECTION AGAINST ABUSE AND SEXUAL MISCONDUCT

The Corrections Department and NENMDF establishes a "zero tolerance" policy regarding abuse and sexual misconduct directed towards inmates.

DEFINITIONS:

Abuse: The unlawful or unjustified use of force or other actions that jeopardize the physical or mental well being of an inmate.

Sexual Abuse: Includes, but is not limited to, subjecting another person to any sexual act or contact between an employee, volunteer, contractor, or agency representative, and an inmate by force, persuasion, inducement, or enticement; any sexual act or contact in which an employee, volunteer or agency representative participates or forces any inmate to engage; subjecting another person who is incapable of giving consent by reason of their custodial status, physical or mental state to sexual contact; or rape, sexual molestation, prostitution or other form of sexual exploitation.

Sexual Contact: Behavior that includes, but is not limited to, all forms of sexual contact, intentional sexual touching or physical contact in a sexual manner, either directly or through clothing, of the genitalia, anus, groin, breasts, inner thighs or buttocks, with or without the consent of the person; or any touching or inappropriate viewing with intent to arouse, humiliate, harass, degrade, or gratify the sexual desire of any person.

Sexual Harassment: Includes, but is not limited to, all of the following, whether by staff, volunteers, contractors, other agency representatives, or inmates: sexual advances; sexually offensive language, comments or gestures; influencing, promising or threatening any inmate's (or staffs') safety, custody status, privacy, housing, privileges, work or program status, in

exchange for personal gain or favor of a sexual nature; creating or encouraging an atmosphere of intimidation, hostility or offensiveness as perceived by any individual who observes the sexually offensive behavior or language.

Sexual Misconduct: Any behavior or act of a sexual nature directed towards an offender by another offender, a department employee, contractor, volunteer, visitor or department representative. This includes acts or attempt to commit acts including, but not limited to: sexual assault, sexual abuse, sexual harassment, and sexual contact, conduct of a sexual nature or implication, kissing, hugging, sexual gratification of any party, obscenity or unreasonable invasion of privacy by the act of observing, attempting to observe, or interfering in an offender's personal, intimate routines unrelated to the necessary performance of required job duties. Sexual misconduct also includes, but is not limited to: conversations or correspondence of a romantic or sexual nature between an offender and any department employee, contractor, volunteer, visitor, or department representative.

- A. Inmates shall be protected from sexual misconduct, personal abuse, corporal or unusual punishment, humiliation, mental abuse, personal injury, disease, property damage, harassment or punitive interference with the daily functions of living, such as eating and sleeping.
- B. Any employee, inmate or other person who in good faith reports abuse or sexual misconduct will not be subject to retaliation. Information will be kept confidential.
- C. It is mandatory that staff, vendors, contractors or any offenders who witness or are the subject of abuse or sexual misconduct must immediately report such conduct to one or more of the following persons: The Secretary of Corrections, the Office of Special Investigation and Internal Affairs (SIIA), the Warden, the Shift Supervisor, the Institutional Investigator, District Supervisor or any other employee of the Corrections Department.
- D. All case records associated with claims of sexual abuse, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings and recommendations for post-release treatment and/or counseling shall be retained in a confidential manner and are retained in accordance with an established schedule.
- E. The following information should have been provided to you upon arrival at NENMDF by the Mental Health Department:
 - Prevention/intervention;
 - Self-protection
 - Reporting sexual abuse/assault; and,
 - Treatment/counseling.

This information should have been communicated orally and in writing, in a language clearly understood by the inmate.

- F. An investigation shall be conducted and documented whenever a sexual assault or threat is reported.
- G. Sexual conduct between staff and inmates, volunteers, or contract personnel and inmates, regardless of consensual status, is prohibited and subject to administrative and criminal disciplinary sanctions.
- H. Inmates that are victims of sexual abuse shall have an option to report the incident to a designated staff member other than an immediate point-of-contact line officer or on a direct toll free number .

STAFF REPORTING PROCEDURES

Any employee who witnesses or receives information regarding the physical abuse, mental abuse or any sexual misconduct directed towards an offender shall immediately report the abuse to his or her immediate supervisor, who shall forward the report to the applicable disciplinary authority (e.g., Warden, Region Manager, Bureau Chief, or Division Director) and the Office of Special Investigation and Internal Affairs (SIIA).

Failure to report or knowingly submitting a false report may result in disciplinary action.

Employees are encouraged to report misconduct to a higher authority if their direct supervisor may be involved or if the report has not been given the appropriate attention at the reported level. Multiple channels will be made available for reporting including, but not limited to, other disciplinary authorities (e.g., Warden, Regions Managers, etc.).

Where abuse is found to have occurred, appropriate administrative action against the offending party will be initiated.

INMATE REPORTING PROCEDURES

Inmate(s) who are a witness to or the victim of abuse or sexual misconduct, humiliation, personal injury, disease, property damage, harassment or punitive interference with the daily functions are encouraged to immediately report the incident by:

- Reporting the incident to any staff member or employee, correctional officer, contract staff or volunteer.
- Filing a grievance.
- Placing a note or memo in any drop box located throughout the facility for Classification, Medical or Mental Health staff and/or even Mail boxes (please be as specific as possible when submitting information in writing).
- Providing the information either verbally or in writing by any means and to any person that would be comfortable to the reporting inmate.

- Sending the information directly to the Secretary, the Office of Special Investigations, Wardens, Shift Commanders, or District Supervisors and/or Region Managers in the case of Probation and Parole.
- Have a family member or friend report it to the any of the people listed above. The family member or friend can notify the facility by phone, fax, email or in person. The

Reporting can also be done on a sexual abuse hotline that directly contacts officials at the New Mexico Corrections Department. The number that can be dialed from any inmate phone is 505-555-2378.

All reports of abuse shall be handled in a confidential manner.

ACCESS TO CONFIDENTIAL SUPORT SERVICES:

The facility does have outside victim advocate services available for emotions support services related to sexual abuse free. Upon notification of an incident the facility will contact the local contracted agency. These services will be confidential. An inmate may also contact the Rape Crisis Center by calling 505-266-7711.

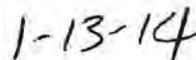
DEFINITION:

Perjury: Making a false statement under oath or affirmation, material to the issue or matter involved in the course of any judicial, administrative, legislative or other official proceeding, knowing such statement to be untrue.

- A. Any inmate making an allegation against a member of the staff or against another inmate may be requested to be sworn by a notary public and advised in writing that the inmate is furnishing a sworn statement having full knowledge that the information the inmate is furnishing is material to the issue or matter involved in the course of, or will initiate an official administrative proceeding and that if the information is knowingly false, the penalty of perjury under 30-25-1 NMSA 1978 attaches.
- B. If the information furnished by the inmate is proven by investigation to be knowingly false, the inmate may be charged with a major offense before the Disciplinary/Hearing Officer under the general principles of inmate discipline which impart that any act, although not specifically listed, that would be a felony under the Criminal Code of the State of New Mexico will constitute a major violation.
- C. Rule violations that require a formal resolution shall be submitted in a written disciplinary report and forwarded to the designated supervisor.



Warden



Date