

SPRINGER CORRECTIONAL CENTER

P. O. Box 10
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Springer, New Mexico 87747

MARLIANNA VIGIL, WARDEN

INMATE HANDBOOK

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SPRINGER CORRECTIONAL CENTER
QUICK REFERENCE GUIDE

<u>ISSUES</u>	<u>CONTACT PERSON</u>
1. CLASSIFICATION ISSUES	CLASSIFICATION OFFICER
2. EMPLOYMENT ISSUES	EMPLOYMENT COORDINATOR
2. COMPLAINTS or GRIEVANCES	GRIEVANCE OFFICER
3. DISCIPLINARY INFRACTION	DISCIPLINARY OFFICER
4. FILE INFORMATION	CLASSIFICATION SUPERVISOR
5. EMERGENCY or CRISES	SHIFT SUPERVISOR
6. MAIL and PACKAGES	MAIL ROOM OFFICER
7. MONEY ISSUES	INMATE ACCOUNTS
8. RELIGIOUS or VOLUNTEER ISSUES	CHAPLAIN
9. VISITATION	VISITING OFFICER/CLASSIFICATION OFFICER
10. LEGAL ISSUES	LAW LIBRARY
11. PAROLE/RELEASE/GOOD TIME ISSUES	CLASSIFICATION OFFICER
12. PROPERTY	PROPERTY OFFICER
13. LEGAL/EMERGENCY PHONE CALLS	CLASSIFICATION OFFICER
14. CLASSIFICATION APPEALS	CLASSIFICATION OFFICER
15. JUDGMENT AND SENTENCE INTERPRETATIONS	CLASSIFICATION SUPERVISOR
16. FORMS (e.g. DEBIT MEMO, REQUEST TO SEE STAFF etc.)	UNIT OFFICER or CLASSIFICATION OFFICER

Requests can be made through the mail by addressing your concerns/questions to the appropriate personal/department.

I. INMATE RULES AND REGULATIONS

- All inmates will abide by the rules and regulations as set forth in the policy statement on inmate discipline.
- Inmates will show respect and courtesy to facility personnel, citizens, visitors, and other inmates.
- 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.
- Contraband is defined as anything not allowed to be received through the mail and is not sold at the Canteen or issued by the state. Articles in excess of established limits or use for unauthorized purposes are also considered contraband.
- **Inmates are prohibited from committing, soliciting, forcing, or enticing other inmates to perform any sex acts. Inmates are prohibited from hugging, kissing or holding hands.**
- Inmates are prohibited from creating any unnecessary noise, which includes indecent or vulgar language, whistling or catcalls, verbally threatening or intimidating inmates, officers, staff, or general agitation.
- Inmates will not interfere with staff members in the performance of their assignment i.e. (Count, Bunk or Room inspections).
- Inmates are prohibited from possessing cigarettes and/or any materials used for smoking, to include snuff, chewing tobacco, gum etc.
- Inmates are not allowed to leave their place of assignment without the permission of the staff member in charge: enter an unauthorized area or engage in unauthorized activity. (**Including entrance ways to housing units**)
- Inmates are subject to search and inspection of their person, personal property and housing/work assignment at any time.
- Inmates are subject to a test for either alcohol abuse detection or drug abuse detection at any time.
- Inmates will not use any institutional telephones unless under the direct supervision of the Shift Supervisor or their respective caseworker.
- Inmates are not allowed to exchange personal property among them, i.e. give, borrow, loan, trade, etc.
- **If receiving brown bags for a meal all items need to be eaten or thrown in the trash after a 24 hrs period. Inmates will not hoard any food or condiments that are received in these meals.**
- Inmates will be permitted to wear approved Gym attire, i.e. sweats tops and bottom or grey t-shirts and grey shorts while participating in recreational activities and in the housing units.
- **Inmates are required to wear the prison issued orange uniform when attending any program or activity; except recreation. Sunbathing will not be permitted. Alteration of pants or shirts will not be permitted for this purpose.**
- Any ball caps or headgear will **NOT** be worn indoors. Do-Rags are only allowed in the housing unit and are prohibited in the gym and outdoors.
- Foot Lockers will remain closed and locked during the day or anytime you are not in the Housing Unit.
- Inmates are required to wear their assigned Springer Correctional Center I.D. at all times, on their sleeve which includes the following areas: work-site, kitchen, education, canteen, classification department, mental health, etc. Inmates do not have to wear their I.D. while in their assigned housing unit, but I.D.'s must be available during count or upon request by staff. You will be issued an I.D. upon your arrival at SCC. If you lose your I.D. you will pay \$5.00 for are placement.

- Inmates will not be allowed to request any type of designs/insignias and the hair stylist will not be permitted to accommodate these requests. Hair cuts will only be done in the gym.
- Inmates will be clothed when exiting the shower area and clothed in the sleeping area during business hours i.e. approved orange or green uniforms or approved gym attire. **You will be permitted to braid or do another inmates hair while in the dressing area. You will not sit on bunks to do any hairstyles. Also if you get your hair done at the gym there are no lines or shaving your hair is prohibited.**
- Staff will be addressed as Correctional Officer, Mr., Mrs. or Ms. and the last name of the person you are speaking to. Staff will not be addressed by their first name.

Anytime an inmate is outside of their living quarters, are required to wear a protective mask. Inmates will be required to wear protective masks in all common areas of the facility and remain in the protective masks until they return to their living quarters. The only exception for not wearing a mask outside is when inmates are outside exercising but they still need to have them on their person.

UNIFORMS:

- **Full Orange or Green Uniforms will be worn from 7:00 am until after 4:00 pm formal count and in any programming areas. You are only allowed kitchen whites while working at food service while working, if you are not working you need to go back to your unit and change to proper attire.**
- **After 4:00 pm formal count Gym Attire may be worn in the Units, Recreational Yard and Gym.**
- **On weekends full Orange will be worn during visitation and all programming areas to include the Chapel and the Chow Hall.**
- **No Shower Shoes/ Sandals will be worn outside of Housing Units at anytime.**
- **Orange Smocks do not have to be tucked in but Orange T-Shirts will have to be tucked in at all times.**
- **No Altering Uniforms or Gym Attire at anytime. i.e. rolling up sleeves or pant legs and may not use hair ties to hold up pants.**
- **You have to wear all Solid Orange/Green or Solid Grey during the specified times directed on this memo. No mismatching at any time only one color allowed.**
- **Crocks may be worn as authorized footwear.**
- **Sunbathing is prohibited at anytime.**
- **Sagging is prohibited at anytime.**
- **All inmates will wear undergarments at all times, failure to do so will result in disciplinary action.**

II. OFF LIMIT AREAS

The employee housing area is **STRICTLY OFF LIMITS** to all inmates at the Springer Correctional Center. No Inmates are allowed in this area, unless authorized by the Warden. (Authorized details, etc.)

The area between the housing units and the perimeter fence is **RESTRICTED** to assigned inmate workers.

Areas **PROHIBITED** to inmates:

- ❖ Control Centers including Officer Stations
- ❖ Inter Housing Unit Visits
- ❖ Administration Building
- ❖ Within red line areas
- ❖ **The doc side of the warehouse/kitchen**

Areas **RESTRICTED** to authorized Inmates only:

- ❖ Maintenance / Welding shop
 - ❖ Boiler Rooms
 - ❖ Power Plant
 - ❖ Warehouse
 - ❖ Laundry
 - ❖ Native American Sweat Lodge
 - ❖ Water Treatment Plant
 - ❖ Classification Area
 - ❖ Swimming Pool Area
 - ❖ All Vocational Buildings
 - ❖ Training Portable
 - ❖ Disciplinary Portable
 - ❖ Kitchen / Dining Room

 - ❖ Visiting Room

 - ❖ Canteen--Restricted Area
 - ❖ Weight Pile / Horse Shoe Pits

 - ❖ Chapel

 - ❖ Housing Unit
 - ❖ Housing Unit
 - ❖ Programs/Medical Brick Walls
- Only Inmates called for no exceptions
Only Authorized inmates will be allowed in the dining room or kitchen after meals
Open to inmates participating in scheduled activities or programs during approved scheduled times. Only inmates receiving visits are authorized to be in the visiting room, during regular visiting hours.
Only inmates picking up Canteen purchase are allowed in the Canteen area.
Off-Limits when restricted movement is announced and when Quarters call is in effect.
Only when scheduled activities are in progress, (Must be approved through Warden or Designee)
Tool rooms/Unit Entrances
Offices and Officer Station
No loitering in this area you will be disciplined if caught around the **red line areas**.

Inmates are not allowed to go to the Administration Building to talk to staff. If an inmate has a concern or problem with anything, they will be directed to submit a request through his caseworker to get it resolved.

III. HOUSING UNIT RULES

The Chief of Security shall assign the inmate's room and housing unit upon arrival. **Changing bunks is prohibited except as authorized by the Chief of Security.** All inmates will be held accountable for their actions, to include but not limited to the following:

- NO willful destruction, sabotage, or altering of State Property
- NO assaults against staff / inmates
- **SHOWERS** will be completed and inmates will be by their assigned bunk by **10:30 pm** Sunday thru Thursday.
- NO showers are allowed after 12:00 midnight Friday and Saturday.
- **ONLY ONE INMATE PER SHOWER HEAD.**
- **ONLY ONE INMATE ALLOWED IN EACH BATHROOM STALL.**
- **ONLY ONE INMATE ALLOWED AT EACH SINK.**
- **ONLY ONE INMATE PER YOUR ASSIGNED BUNK.**
- NO participating in, contributing to or impending control of a disturbance.
- NO verbal screaming, shouting or coercing others to engage in-group activity.
- NO use of abusive words or gestures towards staff, inmates or visitors.
- NO covering of any windows to reduce visibility.
- NO pictures or posters on the walls or under bunks.
- NO tampering with unit doors in a manner which obstructs the opening or closing of doors.
- NO altering of units to include electrical, cable, plumbing fixtures and blocking vents.
- NO obscene pictures, literature, graffiti or gang symbols. (Inmates will be held responsible for any graffiti found in their assigned housing area)
- NO wrestling, scuffling or horseplay.
- NO gambling allowed.
- Selling or bartering of personal articles or favors is not allowed.
- Inmates are **PROHIBITED** from inter unassigned housing unit visits.
- NO altering or making of clothing, to include nicknames, monikers, gang symbols or other markings not allowed.
- NO tampering marking with safety equipment (smoke alarms, strobe lights, cameras etc.)
- **NO banners of any kind i.e. birthday/anniversary banners**

IV. CONTROLLED MOVEMENT

Work call will be announced by the assigned Foot Patrol/Master Control and Unit Officer. When work assignments are announced, inmates will report immediately to the Work Gate in an orderly fashion. There will be no straggling. **Inmates will not be allowed to return to their housing unit unless authorized by their immediate supervisor. No MP players, tablets or radios will be allowed to work call. Water bottles will be allowed during the summer months, there will be no coffee cups allowed. This applies to all food service workers also.**

V. DAILY SCHEDULE

At all formal standing counts, when the Counting Officer enters the housing unit and announces count all inmates will stand quietly at their assigned bunk and will remain so until the Counting Officer advises he/she has completed counting the entire housing unit. **There will be no inmate movement during institutional formal counts. All inmates will remain at their assigned bunk until count is secured. During Formal Counts-Stand Up, all inmates will stand.**

Inmates are then restricted from leaving the Housing Unit, but may move within the bunk area until count is cleared by Control and announced by the Counting Officer. Counts are conducted numerous times throughout the twenty-four (24) hour period. **Interfering with a count is not tolerated and will result in Disciplinary Action (Misconduct Report).** Your cooperation is asked to ensure that the count, at any given time, is accomplished with efficiency and accuracy in as little time as possible. Formal Counts are conducted at least four (4) times daily.

When Quarters Call is announced, all inmates must immediately report to their housing unit and remain there until count is cleared by the Main Control Center. To move from that area, prior to count being cleared is just cause for Disciplinary Action. **When Officers announce Count, inmates will report to their bunks immediately**

5:00 a.m.	Wake Up Call /Official Formal Count-Standup
5:30 a.m.	Diabetics to Medical
6:00 a.m.	Med-Line
6:15 a.m.	Morning Meal
8:00 a.m.	Work Call
8:00 a.m.	Education Call
8:00 a.m.	Recreation Call
8:30 a.m.	Inmate Visitation <i>(Saturdays and Sundays Only)</i>
10:30 a.m.	Quarters Call <i>(All inmates <u>except</u> outside details, food service and visitation, must return to assigned housing unit)</i>
11:00 a.m.	Official Formal Count-Standup
11:30 a.m.	Noon Meal
12:30 p.m.	Work Call/Trash Run
1:00 p.m.	Education/Recreation Call
2:30 p.m.	Inmates turn in all tools. <i>(Daily Tool Inventory for all programs)</i>
3:30 p.m.	Recreation Ends
3:30 p.m.	Quarters Call <i>(All inmates <u>except</u> Food Service Workers must return to assigned housing units)</i>
4:00 p.m.	Official Formal Count-Standup
4:30p.m.	Evening Meal
5:30 p.m. Summer Only	Recreation Call <i>Note: Restricted movement will be announced whenever the Shift Supervisor determines there is insufficient lighting to allow outside recreation.</i>
8:00 p.m.	Recreation Ends <i>(Inmates return to Housing Units, escorted movement after dark)</i>
8:00 p.m.	Quarters Call <i>(All inmates in Units)</i>
9:00 p.m.	Formal Count-Standup
10:30 p.m.	Showers Secured – Sunday thru Thursday 10:30; Friday & Saturday 12:00 Midnight
10:30 p.m.	Formal Count
10:30 p.m.	Lights out , inmates off of phones <i>(Inmates be in bunks)</i>
12:00 a.m.	Official Formal Count - Lights out on Weekends
2:00 a.m.	Official Formal Count

^x
Schedule is the same on weekends and holidays, except the morning meal is scheduled for 7:30 a.m. Inmates may sleep until 9:00 a.m. on weekends. If an inmate is on their days off they are allowed to lay back down as long as their bed is fixed and they are laying on the top blanket.

VI. FOOD SERVICE

1. Inmates must wear a Springer Correctional Center I.D. on the left side of his shirt, at all times. Inmates must wear an institutional uniform in the dining room at all times. The uniform will be worn properly with shirt tucked into pants at all times. Shower shoes, hats/MP players and tablets are **NOT ALLOWED and will be confiscated.**
2. Inmates will not take kitchen utensils, such as plastic ware, glasses, salt/pepper shakers and food from the kitchen. **Nothing will be taken from food service for the exception of brown bags when they are served.**
3. The size of portions served, i.e. meat, potatoes, vegetables and desserts are approved by a Dietician and the N.M.C.D. All inmates, except those on special medical/religious diets shall be served the same meal as scheduled on the food menu.

4. Menus prepared by the Food Service Director are approved by the Warden.

FOOD SERVICE SCHEDULE

	SCHEDULED TIME	SCHEDULED DAY
Breakfast	6:15 a.m.	Monday thru Friday
	7:15 a.m. – 8:30 a.m.	Weekends / Holidays
Lunch	11:25 a.m. – 12:15 p.m.	7 Days a Week
Dinner	4:45 p.m. – 5:15 p.m.	7 Days a Week

VII. SPECIAL DIETS - THERAPEUTIC/RELIGIOUS

1. No inmate is given a special diet related to health care unless ordered by the Physician/Nurse. A diet list is completed by the Physician/Nurse and delivered to the Food Service Manager. Medical diet requests should be specific, complete and submitted in writing to the Food Service Manager. (4-4318)
2. It is the responsibility of the Physician/Nurse to point out any special or hazardous food requirements to the inmate and the Food Service Department, in writing.
3. Religious diet requirements are met by the Food Service Department for inmates whose religious beliefs require the adherence to religious dietary, with the Wardens approval. (4-4319). Consultation with appropriate religious authorities outside the institution is encouraged, although a full-time Chaplain is available onsite. (4-4319).
4. Approved religious diet requests shall be specific, complete and furnished in writing to the Food Service Manager. (4-4319)
5. Only approved inmates on a specific diet list will be served. Inmate’s names not appearing on a specific diet list shall be denied and served off the regular menu.
6. Special diets are kept as simple as possible and should conform as closely as possible to the foods served to the other inmates. (4-4319)

VIII. LAUNDRY/CLOTHING PROCEDURES

Inmates are issued sanitary clothing and bedding upon arrival to the facility.

Clothing is laundered **once** weekly according to the schedule posted by the Unit Officers Station. All clothing shall be marked with the inmate’s NMCD #, with a laundry marker, which is made available by the Unit Officer. The number of state issued items along with the laundry schedule, allows inmates to have clean clothing on a daily basis.

Exchanges will be made on Friday the first and third week of each month. Exceptions will be made for work related damaged or ruined clothing.

Inmates will be charged with Destruction of Property if state clothing or bedding is marked with nicknames, graffiti or any other marking other than NMCD #.

Laundry will be checked between the hours of 0700 hrs thru 0730 hrs. Laundry must be set outside the living units and will be picked up by laundry inmates at 7:00 a.m Monday thru Friday.

Bed linen, towels and recreation laundry are laundered weekly; blankets may also be laundered on the scheduled laundry day.

Inmates are prohibited from hanging their institutional and personal clothing out to dry. They are encouraged to keep all personal clothing secured in their assigned lockers. Wet towels may be hung on the outside of lockers or on the end of the bunk as long as doing so does not obstruct the officer’s sight.

Only the inmates assigned to the laundry are allowed to operate the machinery. Due to the process necessary to operate the controls, the risk to the equipment and safety factors, any inmates who operate the machinery without proper authorization are subject to a Misconduct Report.

Inmates are allowed to wash their own clothing as they are provided a washer and a dryer in Housing units 9 and 10. All other inmates are allowed to wash their clothes as each unit is given a bucket to do so. All clothing must be hung in the designated areas in the housing unit.

LAUNDRY SCHEDULE

DAY OF THE WEEK	MORNING	
MONDAY	HOUSING UNITS 1 & 2	
TUESDAY	HOUSING UNITS 3 & 4	
WEDNESDAY	HOUSING UNITS 5& 6	
THURSDAY	HOUSING UNITS 7&8	
FRIDAY	HOUSING UNITS 9&10	Blankets once per month

IX. INMATE EMPLOYMENT

- Upon arrival all inmates will be assigned to the Labor Pool. All inmates will be assigned a job assignment within a week of their arrival, through the Classification/Supervisory Review Process.
- Work Call will be announced at **7:45 a.m.**, inmates will be instructed at that time where to report. **Failure to report to Work Call will result in disciplinary action.** Work hours are from 8:00 a.m. to 10:30 a.m. and immediately after the noon meal to 3:00 p.m.
- Inmate participation in a work/education assignment program is 20-40 hours per week. Inmates are not allowed to work more than **160** hours per month, **unless prior written approval has been obtained from the Warden.**
- Work-crew members must report to work prepared for the day’s assignment. Returning to the housing units for personal items, such as coffee, radios, etc., will not be permitted.
- Inmates who wish to report to sick call must submit a request; the Nurse will then call for you at the appropriate time. Inmates must first report to their Supervisor and he/she will verify approval for you to report to the Nurse. After you have seen the Nurse, you must report directly back to your Supervisor. If the Nurse gives you a lay-in, you must let your Supervisor know. **It is your responsibility to advise your Supervisor if you are not going to be at your work assignment failure to do so will result in a misconduct report.**
- The tools that are needed to perform the day’s assignment will be checked out to you each day. You will be held responsible for the tools and must check these tools back in at the end of each day.
- Work may be called off due to inclement weather; however, other duties may be assigned as needed.
- **While at work inmates are not allowed to have in their possession a radio, MP3 player, tablets, food or cups.**
- **Transfers from one work assignment to another work assignment will not be permitted without approval from the Supervisory Committee.**
- **All inmates will stay in their new job assignment for at least 60 days before applying or requesting another job assignment.**
- **Supervisors will evaluate each inmate at the end of the month. Pay Incentives and Good Time will be awarded based on the evaluation of the inmate’s job performance.**
- Work Crews will remain in the proper institutional uniform at all times; the institutional shirt or t-shirt will be tucked into the pants and the inmate photo I.D. will be clipped on the left side of the shirt.
- Inmates are prohibited from leaving their work assignment without the approval of their work supervisor. Failure to comply will result in disciplinary action. It’s your responsibility to notify your supervisor if you have a doctor’s appointment, education or are pulled by another supervisor for another detail. You need to personally inform your supervisor of your absence.
- Job vacancies are posted in the Housing Units and inmates may obtain job applications from the Inmate Employment Coordinator or the Classification Officer.
- **All pay increases are based on the supervisor’s evaluations, completion of 90 day work assignment and recommendations as per policy.**

X. INMATE TRUST ACCOUNTS

An Inmate Trust Account is maintained for the purpose of accounting for all monies received and expended by the Springer Correctional Center, on behalf of the inmates.

MONIES RECEIVED

MAIL: All money orders received through the mail will be receipted within (72) hours of receipt. (Must be on approved visitor's list and stamped address envelope to receive money). **All funds sent to inmates from outside sources must be sent via US mail. Funds received must be in the form of a money order, except for approved vendor refunds, court settlements, bond refunds from United States or New Mexico courts, or county detention centers. Funds received should indicate the name of the sender. If the funds are a gift, the sender's name must appear on the inmate's list of visitors and their address should match the visitor application. Cash, currency and personal checks sent via the mail, gifts received anonymously, from anyone not on the inmate's list of visitors, from anyone permanently suspended, or indefinitely suspended from visiting shall not be accepted by the facility and will be returned to the sender. All funds received through the mail should indicate the receiving inmate's commitment name and number. Only funds received in proper form will be deposited in the designated inmate's trust account and a receipt will be furnished to the inmate. CD-024501**

INCENTIVE PAY- Incentive Pay is posted monthly to each inmate's account. The Springer Correctional Center administers an incentive pay plan that considers skills, abilities and performances of all inmates. This plan provides an incentive for inmates to work and receive pay.

MONIES EXPENDED:

CANTEEN	Canteen purchases are deducted from the inmate's account the following day.
OUTSIDE PURCHASES	Items ordered through the mail are deducted from the inmate's account and will require an approved debit memo.
SUPPORT MONEY	Inmates are allowed to send money home to families for support. An approved debit memo is required. (Must be on approved visitor's list and stamped address envelope to send money out).
TRANSFERRED FROM S.C.C.	All monies are transferred unless the inmate chooses to have property sent home, and then a minimum amount is retained to pay for this expense.
DISCHARGED or PAROLED	Inmate receives the balance of account at time of departure from S.C.C.
RESTITUTION	Fifteen percent (15%) of all income from Institutional Work Programs earned by inmates.

XI. Canteen

The Canteen is a privilege and in order for it to operate, inmates must follow rules and regulations.

- Inmates may **only** go through Canteen one (1) time per week, and shall present their I.D. cards before being allowed to pick up the purchase.
- Inmates must be properly dressed (full oranges/greens), shirts tucked in, pants and footwear is required. A picture I.D. is required to be worn on the left side of the shirt.
- **Only** one (1) inmate at a time will be allowed to enter the door at Canteen.
- Headsets are **not** allowed in or around Canteen, during hours of operation.
- Issues involving an inmate's account may be addressed through the Business Office by submitting a request form to the inmate Accounts Staff. No discussion concerning the condition of accounts shall be allowed during Canteen delivery.
- **NO REFUNDS ARE PERMITTED.**

Procedures

Commissary order forms will be given out every week on Tuesday. The order form must be completed and submitted in to the box labeled Canteen, located in the Cafeteria by 7:30 am on Thursday prior to week distribution week. Once the order is placed no changes will be allowed.

There is a weekly limit of \$100.00 to spend on general canteen items. Please note some general canteen items also have weekly purchase limits.

All order forms must be completely filled out with your name, inmate number, and housing unit. If any this information is missing or can not be read the order will not be filled.

Inmates are responsible to know and keep up with their account balance. If you do not have sufficient funds your canteen order will not be filled in the order in which your form is filled out until there is no money left.

The normal canteen distribution schedule is:

This schedule is subject to change dependent upon circumstances.**XII. INMATE PERSONAL PROPERTY****Allowable State-issued clothing and linen**

State-issued underwear and socks will only be provided for documented indigent inmates.

- **Clothing:**
 - Beanie, 1
 - Pants, 3
 - T-Shirts, orange NMCD emblem, 3
 - Shoes, deck shoes OR **Boots-only if needed due to work assignment**
 - Cap orange, 1 **only if needed due to work assignment**
 - Jacket, 1 **will be issued during cold weather season and returned at season change**
- **Linen:**
 - Blankets, 2
 - Laundry Bag, 1
 - Blue Laundry Bag, 1 (only if inmate works in following areas: Administration, Special Projects, Wheel Chair Program, Warehouse, Roots for Success and the Paint Crew)
 - Pillow, 1
 - Pillow Case, 1
 - Sheets, 2
 - Towels, 2

Allowable personal property

Although a certain category of items may be permitted, a specific type of that item may be rejected if it constitutes a threat to the security of the institution.

- **Clothing:**
 - Socks, 7 pair solid white no emblems, no less than three
 - Underwear, 7 pair solid white no emblems, no less than three
 - Bra, 7
 - Athletic shoes, 2 pair not to exceed \$75 in value, white or grey
 - Shower shoes, 1 pair
 - Gym shorts, 2 pair, solid light grey no emblems or pockets
 - Sweat bottoms, 2 pair, solid light grey no emblems or pockets
 - Sweat tops, 2, solid light grey no emblems, pockets, hoods, or collars
 - Thermal tops, 2 solid light grey or white no emblems
 - Thermal bottoms, 2 pair, solid light grey or white no emblems
 - T-Shirts, 2 TOTAL, solid grey no emblems, pockets, hoods with long sleeves
 - Night Gowns, 2
- **Personal use items:**
 - Medicine pouch, 1, approved for registered Native Americans, per CD-101101
 - Religious books, 2(e.g., Bible, Koran, Talmud, etc.)
 - Religious items or other religious article, 2, small items not to exceed \$50 in value. (One chain and one medallion combined shall constitute one of the items)
 - Watch, 1 not to exceed \$50 in value
 - Two (2) pair of earrings (no stones) not to exceed fifty dollars (\$50.00).
 - Wedding Band without stones, 1, not to exceed \$50 in value. Inmate must produce evidence of legal marriage.
 - Cup, 1
 - Bowl, 1
 - Towel, 2 TOTAL
 - Washcloth, 1 small solid white
 - Legal documents on ACTIVE cases. These documents must fit in the designates area
 - Letters/post cards, 10
 - Pens or Pencils, 5, sold through canteen
 - Notepad, 2, sold through canteen
 - Envelopes, one bundle of 5 sold through canteen
 - **Photo album, 1, no larger than 12"x12", all photos must be maintained in album, no more then 25 photos**
 - Address Book
 - Books, 3 incoming books must be approved by literature review panel
 - Magazines, 3, nudity, pornographic and/or gang-related materials are prohibited. An approval list of magazines will be determined and posted in units.

- Cards, 3 decks, (2) pinochle and (1) regular
- Batteries (non-rechargeable), 4 are allowed but no more than 12
- Earphones, 1 pair, earphones or ear buds, sold through canteen
- Authorized MP4 player sold through Canteen in a clear case with non-detachable speakers, NO CD players

- **Hygiene and Health Items:**

State-issued hygiene packets will only be provided for documented indigent inmates OR new arrivals without immediate access to property issuance. **2 of each item will be allowed unless otherwise specified.**

- Nail Clippers, 2 pairs 1-Large and 1- Small
- Tweezers, 1 pair
- Comb 5", 1
- Comb palm-brush, 1
- Hair brush
- Hair ties, 1 pack
- Shampoo
- Conditioner
- Hair Gel
- Hair Relaxer
- Soap dish, 1
- Soap
- Razor, 1 pack
- Shave Gel/Cream, 1 of either
- Toothbrush, 1
- Toothpaste
- Toothbrush cap, 1
- Mouth Wash (no alcohol formula)
- Chap stick
- Sunscreen
- Handkerchief
- Lotion
- Foot/Body Powder, 1 of each
- Eye Drops
- Deodorant/Antiperspirant
- Cotton Swabs
- Make up, not to exceed \$60 in value
- Feminine Napkins
- Face wash

Recreational clothing will only be allowed to be worn during off-duty and recreational hours.

All personal property is to be recorded on the inmate's individual property record. Correctional Staff will check the inmate's housing unit area for excessive clothing and contraband. Excessive clothing will be sent out of the facility at the inmate's expense and other contraband will be either confiscated or sent out of the institution at the inmate's expense.

All articles sent in to the inmate from outside the facility, will require prior approval by the Warden or it will be considered contraband.

Any unclaimed property left at the facility for more than forty-five (45) days, will be turned over to a charitable organization or destroyed. The Property Officer may grant an extension.

Any property found to be in an inmate's housing unit area or in their possession, which is not listed on their Property Record, will be considered contraband and will be confiscated and a Misconduct Report issued.

All non-state issued clothing will be governed by the Springer Correctional Center Property Officer and the Inmate Dress Code Policies.

Inmates are prohibited from wearing hairnets, head bands, tongue-rings or any other type of body piercing considered to be paraphernalia. Sagging or altering of the institutional uniform is strictly prohibited and will be grounds for disciplinary action.

Contraband is defined as follows:

- A. Items which are not allowed by SCC / Department Property Policy.
- B. Items not documented on Inmate Property Card.
- C. Items not sold in the Inmate Store / Canteen.
- D. Items that come in brown bag lunches are to be eaten with in the first 24 hrs of receiving them

XIII. PERSONAL LIVING AREA

All beds will be made by 7:30 a.m. Monday thru Friday and by 9:00 a.m. Saturday, Sunday and Holidays; beds will conform to uniformity. Items of personal property will be properly stored in the lockers by the time count is sounded on regular workdays. Property will not be allowed on top of lockers. The only items allowed to remain out include bible and/or Koran and /or education book. Clothes must be kept neatly folded in grey box and not hanging on the bed, rails or chairs. **All other property must be kept in the storage box and all other items left unsecured will be confiscated and disposed of according to policy.**

All inmates will be fully dressed and ready to go to work without returning to living units when work call is announced at 7:45 a.m. and after the afternoon meal.

There will be nothing hanging off of bunks that block the officer's view.

XIV. PERSONAL HYGIENE ITEMS

Only indigent inmates are eligible to receive certain personal items from the Canteen, free of charge. These inmates will be required to submit in writing to the assigned Warehouse Officer their request for personal hygiene items. Indigent inmates are new arrivals who have not received money from home, or another institution, and have not yet received any incentive pay; and inmates who are on lay-in status, or are completely unable to work and receive no money from an outside source.

The hygiene kit will be composed of the following items and will **only** be issued one (1) time.

5 – Disposable Razors	1 – 3 in one body wash	3 – Roll of Toilet paper
1 - Toothbrush	1 – Roll on Deodorant	1 – Tube of Toothpaste
2 – Bar of Soap	1- Sanitary Napkins	

Inmates who earn incentive pay, or have other income (such as money from home) are expected to purchase necessities with their money. Inmate purchases will be closely monitored when purchases of candy bars and cokes cause an inmate to become "broke" as he will not be eligible for assistance.

Inmates who deplete their accounts by (a) sending all their money out; (b) making catalog order(s); and (c) heavy canteen purchases are not considered indigent and will not be eligible for assistance. It is up to the individual inmate to keep enough money in his account to purchase necessities.

XV. SAFETY & SANITATION/HOUSEKEEPING

Inmates are responsible for ensuring that their living area is maintained in a sanitary manner. Staff will ensure that all inmates adhere to the following criteria in the living units. All cleaning supplies shall be provided by S.C.C., and will be returned to the Janitor Room by 10:00 p.m.

Inmates will not be allowed to fabricate electrical cords, stockpile any items that would create unsafe conditions for themselves or others. Items that may create a health hazard or present a risk of personal injury will be confiscated. Individual housing areas will be inspected by the Day Shift Supervisor/assigned Housing Unit Officer, who will note deficiencies in the log, and will advise the inmate of the needed corrections. It is important that the inmates respond to these warnings by the Shift Supervisor or assigned Housing Unit Officer, in order to avoid Disciplinary Action.

All inmates are responsible for maintaining their assigned areas in a clean and sanitary manner.

- Hazardous and combustible materials such as boxes, papers and magazines will not be allowed to accumulate
- Cardboard boxes, brown bags will not be allowed for storage or used as trash receptacles
- Windows will remain free of material, No trash will be allowed to accumulate
- All personal belongings will be stored in a neat and orderly fashion
- All inmates will have their areas in order, dressed and beds made by 7:30 a.m. on weekdays and 9:00 a.m. on weekends, before the inmate leaves the unit, prior to breakfast or any other activity.
- On Saturday, Sunday and Holidays, all inmates will have their areas in order and beds made by 9:00 a.m. or before going to breakfast.
- Inmates assigned to morning detail in Food Services will be required to have their areas in order with beds made prior to being released for work.
- Nothing is allowed on the walls, outside of lockers or under the bunk beds (except foot locker and shoes).
- No smoking is allowed on state grounds or any transport vehicle. This act is strictly prohibited to include snuff, chewing tobacco etc.
- Inmates are prohibited from tampering with any security devices i.e. locks, smoke alarms, fire alarms, lights, fixtures, cameras, door alarms etc.
- Inmates are prohibited from touching, leaning/or sitting against any of the fences.

XVI. PREA - SEXUAL ABUSE/ASSAULT (4-4281-1)

No inmate is immune from sexual abuse/assault.

Sexual Misconduct is sexual abuse or sexual assault. It includes inmate-on-inmate sexual activity or staff-on-inmate sexual activity.

Inmate-on-inmate sexual abuse/assault:

This is one or more inmate(s) engaging in or attempting to engage in a sexual act with another inmate, or the use of threats, intimidating, inappropriate touching either directly or through clothing of the genitalia, anus, groin, breast, inner thigh, or the buttocks (excluding contact incidental to a physical altercation), or other actions or communications by one or more inmates aimed at coercing and/or pressuring another inmate to engage in a sexual act.

Staff-on-inmate sexual abuse/assault:

This includes seeking or attempting to engage in a sexual act with any inmate or inappropriate touching either directly or through clothing of the genitalia, anus, groin, breast, inner thigh, or the buttocks (excluding contact incidental to a physical altercation), with the intent to abuse, humiliate, harass, degrade, arouse, or gratify the sexual advances; invasion of privacy beyond that necessary for safety and security, including disrespectful, unduly familiar or threatening sexual comments made to inmates; any solicitation of sexual activity through promises of favors; and threatening an inmate for refusing sexual advances.

Inmate on Inmate Sexual Activity:

This is one or more inmate(s) engaging in or attempting to engage in a sexual act with another inmate this includes consensual inappropriate touching either directly or through clothing of the genitalia, anus, groin, breast, inner thigh, or the buttocks or kissing (to include hickies) any part of an inmate's body. All reports of sexual activity will be reported and investigated. Inmates who commit sexual activity will be disciplined according through the disciplinary process regardless of consent.

Sexual acts or sexual contacts between any inmates or between an inmate and staff member, even if the inmate consents, initiates or pursues, are always prohibited and always **illegal**.

This includes over-familiarity. Over-familiarity is the engaging in or attempting to engage in conduct likely to result in intimacy or a close personal relationship between inmates or inmate(s) and a staff member. Behavior that is prohibited includes, but is not limited to:

- Flirting with each other,
- Exchanging personal letters or gifts,
- Requests or granting of special favors, and
- Discussing personal matters unless it is an expectation of the staff member's job responsibilities.

HOW CAN I AVOID SEXUAL VICTIMIZATION?

To avoid sexual victimization:

- Carry yourself in a confident manner.
- Be direct and firm if others ask you to do something you don't want to do.
- Trust your instincts; if you sense danger, it's probably real.
- Be alert! Contraband substances such as drugs and alcohol will weaken your ability to
- Make good judgments.
- Do not accept gifts or favors from others. Most gifts or favors come with strings attached.
- Do not accept an offer from another inmate(s) to be a "protector".
- Avoid borrowing and becoming indebted to anyone.

WHAT IF I NEED HELP?

If you have been assaulted, the person(s) who assaulted you can only be disciplined and/or prosecuted if the sexual misconduct is reported. You should immediately report it to a staff member (Correctional Officer, Supervisor, Warden, Unit Manager, Mental Health or Medical Provider); NMCD PREA line- 1-575-523-3303; or have a family member or friend report it to the facility or via email at NMCD-PREAREporting@state.nm.us. You will be referred for a medical and mental health exam and treatment. You do not have to name the assailant in order to receive medical treatment.

If you would like advocacy or to talk to someone from your local Rape Crisis Center, you may dial *9999 from any inmate phone. This call is free, unmonitored and unrecorded and will not require you to enter your PIN number.

If you would prefer reporting to a third party, outside of NMCD, you may write to:

PREA Reporting Office
2862 South Circle Drive
Colorado Springs, CO 80906

These matter will be forwarded to the Agency PREA Coordinator for review and investigation.

Even though you may want to clean up after the assault, it is important that you see the medical staff before you shower, wash, drink, change clothing, or use the bathroom. Medical staff will examine you for injuries, which may or may not be obvious to you.

If you have not been assaulted but believe you are being threatened or coerced sexually, it is just as important to report the situation. Again report it to any Corrections Department staff member (PREA Coordinator Captain J Trujillo, Correctional Officer, Supervisor, Warden, Unit Manager, Mental Health, or Medical) or the NMCD PREA line 1-575-523-3303.

For additional information, please review the PREA Resource Guide in the Inmate Library, the PREA Pamphlet provided to you at intake or available to you on the PREA Video.

REMEMBER:

Sexual misconduct is a crime. The Corrections Department will investigate all reports of sexual misconduct. If you are the victim of sexual misconduct, **REPORT IT IMMEDIATELY. The New Mexico Corrections Department has ZERO-TOLERANCE regarding all forms of sexual activity, sexual harassment, sexual abuse and sexual assault.**

XVII. MAIL AND CORRESPONDENCE PRIVILEGES

All inmates are allowed open correspondence at the Springer Correctional Center. The following guidelines are requirements that govern the operations of the Mail Room Officer. Mail sent to you from other facilities will be forwarded to the Springer Correctional Center within a short period of time of your arrival. All visiting forms will be mailed by store bought envelopes. Inmates are not allowed to share mailing privileges with another inmate.

All inmates' in-coming and out-going mail addressed to privileged correspondents will be allowed to go out un-opened. A Staff member may open Legal Mail if he/she suspects the letter to contain contraband, but may do so only in the presence of the inmate. Any inmate found violating mail and correspondence regulations will be subjected to Disciplinary Action.

All mail sent out by an inmate requires the name of the inmate, NMCD# and address in the upper left hand corner of the letter or package; as well as the name and address of the receiving party. Any mail that does not have this information will not be processed.

SCC will provide postage for two (2) standard First Class (current cost of stamps) letters per week for Level II inmates only, as per CD Policy. All excess postage mail will require postage paid envelopes available through canteen. Any mail that requires more than a First Class Stamp will be accompanied by a signed Debit Memo from the inmate.

DRAWINGS, GRAFITTI, STICKERS OR WRITING OR COLORED PAPER (other than required information) PLACED ON OUT-GOING MAIL WILL NOT BE ALLOWED, TO DO SO WILL RESULT IN CONFISCATION OF MAIL, AND MAY RESULT IN DISCIPLINARY ACTION

XVIII. TELEPHONE ACCESS

There will be only one (1) inmate per telephone. There will be no loitering around the institutional telephones.

Inmates are not permitted to use a PIN Number not assigned to them or attempt to use the voice recognition to make a phone call. Any inmate using other inmates PIN Number or voice recognition to make telephone calls will be in violation of S.C.C. published rules and will be subject to disciplinary action. **Any misuse of the inmate phones will result in the issuing of a misconduct report for: A (26) Fraud Misuse of the inmate phones include third party calls, merging calls, inmate to inmate contact, physical damage, or any acts which are deemed to threaten the safety and security of the facility. Inmate phones are a privilege which can be revoked if you are found to be in violation of this directive.**

Telephone calls may be made from 6:00 a.m. to 10:30 p.m. daily. Telephones will be turned off during all formal institutional counts. All phone calls will either be collect or paid general phone time. All telephone calls are subject to monitoring.

Emergency Calls will be authorized by the Shift Commander/Classification Officer, once the emergency has been verified.

XIX. ATTORNEY VISITS AND PHONE CALLS

Attorney visits are scheduled through the Wardens Office. The Attorney will call the Wardens Office and arrange the date and time for such visit.

Attorney phone calls are made at the request of the inmate by filling out the Attorney Phone Call Request Form and submitting it to their Classification Officer. This phone call will be arranged within 2 working days of the inmate's request. Inmate will be responsible for payment of such phone call as per policy CD-150300, unless the attorney will accept a collect phone call.

XX. VISITATION

Visiting hours are Saturday, Sunday and approved State holidays from 8:30 a.m. to 3:30 p.m.

To request a change to the current visiting list an application will be sent to the applicant (inmate will pay postage). Upon return of application, a background check will be conducted on the applicant and based on the results will be approved/disapproved by the Visitation Coordinator.

An inmate may be limited to three (3) visitors (six years of age and older) and limited to three (3) children (five years of age or younger) at any one time if space permits.

A visitor can only visit one (1) inmate at a time.

Special Visit requests will be handled on a case-by-case basis in accordance with established program requirements.

1. **A brief hug and kiss will be permitted at the beginning and at the end of the visit. Abuse of this privilege will not be tolerated. Inmates will be seated across a table from all adult visitors and will be permitted to hold hands across the table.**
2. **Inmates will be permitted to hold an infant child during the visit. You will not assist in feeding, changing or taking the child to the restroom.**
3. **You are only permitted to have a combined total of \$20.00 in quarters. No other currency is allowed.**
4. **The visitor is the only one permitted to use the microwave.**
5. **Visiting tables will be kept free of trash.**
6. **The inmate and the visitor are prohibited from passing or exchanging any items in the visiting room.**
7. **Any disorderly conduct, which includes using hostile, vulgar or profane language, unruly behavior, engaging in activities that disrupt or disturb others, creating loud noises, which disrupts the orderly operation of the visiting room, is prohibited.**
8. **The inmate will remain in his immediate visiting area and will not leave the area without the permission of the visiting room officer.**
9. **Only one adult person will enter the restroom at any one time. The visiting parent may assist children that need assistance or for the purposes of changing a diaper.**
10. **Children must be kept under control and will not be allowed to run around the visiting room.**
11. **We have 3 strike system, visitor applications will only be processed three times if denied beyond that it will be the application will be filed.**
12. **If you have a visitor that is a convicted felon proof of kinship or a marriage certificate is required.**
13. **Anyone who wants to visit MUST be on your approved visiting list regardless of age.**

Inmate to Inmate Correspondence:

1. **Correspondence must be approved by BOTH facilities.**
2. **For Correspondence you must provide proof of kinship or marriage certificate.**
3. **Immediate or legal spouses only (NMCD does not recognize common law marriages)**
4. **When submitting paperwork, inmates names, numbers and the facility where they are located need to be submitted.**
5. **SCC Warden and the Warden to the facility to the person you want to write have to approve correspondence.**

XXI. MEDICAL SERVICES

Inmate will request an **N.M.D.C. HEALTH SERVICES REQUEST FORM** from the Officer on Duty. Inmate will complete the top half and report all symptoms. Inmate will place the request in the **WHITE** Sick Call Box located in the Cafeteria at breakfast. Request forms that are placed in the box after breakfast time, will be seen on the next day.

The Nurse will call for inmates after breakfast but prior to work, education, and recreational calls are done. At no time will an inmate go to the Infirmary without being scheduled.

No inmate will be allowed to be on lay-in or medical idle without the health services pass/lay-in, completed by the medical staff.

Med-Pass will take place in the Programs Building. You will proceed to the line and take your meds prior to going through the serving line. During winter months you will take off your jacket before you receive your medication.

Inmates will not hoard or cheek any medications. If caught you will receive a misconduct report for abuse of medication.

If an inmate finds her medication missing, she will report it immediately to security staff. In the event of an emergency, the inmate will contact Security Staff, who will then advise Medical Staff.

Medical Emergency Personnel are on site 24-hours/ 7 days a week.

XXII. CLASSIFICATION DEPARTMENT

The Classification Department consists of five (5) Classification Officers, one (1) Classification Supervisor, and one (1) Records Clerk.

Classification Committee is scheduled weekly, or as needed on a case by case basis. Classification staff will provide a Committee Hearing Notice for the committee, and when necessary, a 48 hour waiver will be utilized.

Inmates who are unable to visit their Classification Officer during the regular working hours may fill out a request slip (Request Slips are available at the Officer Stations) and deposit the request in the mailbox. You are assigned one Classification Officer and shall report to only your assigned Classification Officer. Failure to do so may result in Disciplinary Actions. Your Classification Officer will respond to your request once received. Requests must have Name, NMCD#, Date, and assigned Bunk # in order to be a valid request.

Classification Officers will be available in their Housing Unit Office, 2 hours per day, 4 days per week. This time may be used to address any concerns regarding Good Time, LSA's, Forfeitures, etc.

Classification Officers will be responsible for awarding Good Time based on performance evaluations submitted from work supervisors. Classification Officers will process Lump Sum Awards (LSA's) based on the recommendation from a qualified LSA Program. Decisions on LSA's are final and cannot be appealed per Policy CD-082801. Findings of guilt on either a Minor or Major Misconduct Report may result in forfeiture of good time and/or LSA's earned.

Inmates have the right to appeal classification decisions if the inmate does not agree with the outcome. All appeals must be submitted on form CD-080102.10, which is available through the Classification Officer. Appeals must be sent to the Unit Manager. All classification appeals must be submitted within 15 calendar days of the committee's decision. Your Classification Officer will advise you of the appropriate staff member you need to submit your appeal.

XXIII. INMATE GRIEVANCES

The facility encourages resolution of complaints at the lowest possible level since grievances should be, whenever possible, resolved through direct contact with Staff responsible for the particular problem area. All inmates have access to the formal grievance procedure anytime the informal process has not provided successful resolution of the complaint.

Grievance forms (CD-150501.1a) are available from the Library, the Shift Commander's Office or from the inmate's caseworker. The grievance form is to be completed by the inmate, marked "GRIEVANCE" and addressed to the Grievance Officer. They are to be dropped into the Grievance Box, which will be located in the Cafeteria Dining Hall, Program Building or they can be mailed through the institutional mail. The Warden or designee shall review the grievance and the Grievance Officer's Report and makes a decision regarding the grievance. The inmate shall be informed, in writing, of the Warden's decision, the reason for the decision and right to appeal this decision.

Inmates filing grievances for Department personnel sexual misconduct must mark the grievance form as "Emergency". All grievances for Department personnel sexual misconduct will be completed in an expedited manner with fairness and consistency. The Grievance Officer will notify the Warden or his or her designee within one (1) working day of the verifiable emergency grievance. The Warden shall complete a referral for an OPS investigation on all PREA related grievances. The grievance officer will immediately respond to the inmate with "this grievance has been referred for investigation to Office of Professional Standards." The investigation will be handled by an investigator that has completed special training for sexual assault cases.

XXIV. EDUCATION/LIBRARY

Inmates will have their educational needs assessed by the Education Registrar and the Classification Committee will make appropriate assignments. Further information regarding educational programs can be obtained through the Education Department.

Library access is available to all inmates based on the Institutional Schedule.

XXV. MENTAL HEALTH SERVICES

Mental Health Services are available 24 hours per day; inmates will notify the Shift Commander or Unit Supervisor when needing to see Mental Health Staff.

XXVI. RELIGIOUS SERVICES

Religious Services are available to all inmates. The Chapel Schedule is posted in the Chapel as well as in all housing units. Community volunteers assist in providing religious services. You will be expected to treat a volunteer just like any other staff member. You will not ask them for any special favors, (bringing in any form of contraband), or attempt to become involved in an inappropriate relationship.

XXVII. RECREATION

Recreation will be offered to all inmates based on the Institutional Schedule.

XXVIII. ARTS AND HOBBY CRAFT PROGRAM

The Arts and Hobby Craft Program is available to all inmates. Applications can be obtained from Recreation Officer and upon completion of the application will be submitted to the Unit Manager for approval.

XXX. NARCOTICS AND/OR ALCOHOL

The use of any narcotic or alcohol is not tolerated. Any inmate who uses any of these substances is subject to severe disciplinary action as outlined in the policy governing Inmate Discipline.

Only drugs prescribed through the Medical Services will be allowed, all medicines are subject for approval by the Medical Administrator of the Springer Correctional Center, regardless of the origin.

No drugs prescribed or over-the-counter is allowed to be brought into the facility by the inmate's family or friends. This includes any type of medication or vitamin. Signed approval by the Warden or the Medical Administrator must be presented or the items will be confiscated.

Inmates are subject to an authorized drug test at any time. A positive reading will be grounds for Disciplinary Action and a possible transfer to a higher custody facility. Inmates are responsible for their own actions.

XXXI. TYPING SERVICES (4-4276)

All inmates are permitted to send out legal materials, at their expense, to be typed by family members or typing services.

XXXII. HOUSING UNITS 9 AND 10

Housing Units 9 and 10 are for Level I inmates. When an opening occurs inmates are moved in based on when they were classified Level I. These housing units are single cell and afford you more privacy by having your own room. The units have tv room with a large common area and a large yard for recreational purposes. The units also have washers, dryers and refrigerators. These units have special privileges that the dormitories do not provide. Your behavior will determine if you remain in one of these units. Acting out, receiving misconduct reports or any disruptive behavior will not be tolerated and you may be moved back in to one of the dormitories, based on the Warden's discretion.

Lights out at 10:30 PM. No showers after 10:00PM.

Hallway lights will remain on until after the 10:30 PM count. Only the officer will turn these lights off. Phones

No altering of rooms to include covering vents or alteration to the doors.

Front and rear windows are NOT to be covered. You may cover part of the front window while using the restroom.

Telephone calls may be made from 6:00 a.m. to 10:30 p.m. daily. Telephones will be turned off during all formal institutional counts. All phone calls will either be collect or paid general phone time. All telephone calls are subject to monitoring.

APPENDIXES

A. CD Policy 150200 / 150201 INMATE PROPERTY (4-4292, 4-4293)

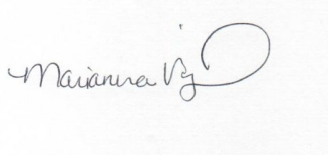
B. CD Policy 150500 / 150501 INMATE GRIEVANCES (4-4344)

C. CD Policy 024500 / 024501 INMATE TRUST ACCOUNT (4-4292)

CLOSING STATEMENT

It is your responsibility to know the rules, regulations and the procedures of this institution. It is also your responsibility to abide by these rules, regulations and procedures as well as attachments to this handbook, or be held accountable for your non-compliance. You are to read this handbook as well as all other directives, policies and information published and disseminated to the inmate. By following the chain of command and knowing the rules / regulations, you can ensure that your incarceration is positive, and benefit from the programs, services and activities available to you.

YOU WILL BE HELD RESPONSIBLE AND ACCOUNTABLE FOR YOUR ACTIONS. THERE WILL BE NO EXCUSES FOR DEVIANT BEHAVIOR.



Marianna Vigil, Warden

8/31/20
DATE

IMPORTANT INFORMATION ABOUT YOUR DURAN RIGHTS WHILE IN PRISON

What is the Duran lawsuit?

Duran v. Lujan Grisham, No. 1:77-cv-00721-KG-KK, is a federal class action civil rights lawsuit filed in 1977 that concerns overcrowding in certain New Mexico prisons.

What is the Duran lawsuit about?

A 1991 Settlement Agreement in the Duran lawsuit contains the following restrictions on overcrowding at certain New Mexico prisons:

Provisions Regarding Dayrooms:

“[H]ousing prisoners in dayrooms that were not originally designed as housing areas does not constitute an appropriate long-term solution to overcrowding. However, from time to time, [New Mexico prisons] may need to place prisoners in dayrooms on a temporary basis to accommodate increasing population levels while other alternatives are developed.”

At “Existing Facilities,” which are correctional facilities that were in existence on December 20, 1991, “[n]o more than five [5] prisoners per dayroom [may be] assigned to dayrooms.”

At "Newly Constructed Facilities," which are correctional facilities that were completed or additions to an existing facility that were completed after December 20, 1991, "dayroom housing must provide a minimum of sixty [60] square feet of combined living and sleeping space for each prisoner housed in the dayroom, as well as a reasonable amount of activity space for the other prisoners assigned to that housing unit."

"No individual prisoner [may be] housed in a dayroom for more than 120 consecutive days."

Provisions Regarding Cells:

New Mexico prisons "will not assign more than one [1] prisoner to a cell in Existing Facilities."

New Mexico prisons "may assign two[2] prisoners to a cell in Newly Constructed Facilities if that cell contains at least sixty (60) square feet per prisoner."

Provisions Regarding Dormitories and Multiple Occupancy Rooms:

"[A]ny multiple occupancy rooms or dormitories used for the housing of prisoners shall provide each occupant at least sixty [60] square feet of combined living and sleeping space."

Additionally, "Areas, including dayrooms, not designed for housing prisoners may be utilized for the housing of prisoners only as provided in this settlement agreement." The 1991 Settlement Agreement does not allow for housing in areas not designed for housing inmates such as gyms, except under emergencies, such as circumstances caused by a riot, fire, or other similar event not caused intentionally by the New Mexico Corrections Department, its agents or employees and including, in some cases, construction delays or labor disputes.

You may review the complete 1991 Settlement Agreement through your Law Library where it is available to inmates.

Am I a class member?

Prisoners at CNMCF (excluding its "Level II facility" and the "Farm"), GCCF, LCCF, NENMDF, NWNMCF, OCPF (excluding federal inmates), PNM (excluding the Minimum Restrict Unit ("MRU")), SNMCF (excluding the Paul Oliver Unit ("POU")), and WNMCF, and are automatically class members of the Duran lawsuit. You do not need to do anything to join the lawsuit.

If these provisions are being violated at your prison, please contact the Duran attorneys.

This Second Revised Settlement Agreement was approved by the Court on February 14, 2020.

If you have any questions about the Agreement, you can contact class counsel.

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DWIGHT DURAN, et al.,
Plaintiffs

v.

MICHELLE LUJAN GRISHAM
Governor, et al.,
Defendants.

1:77-cv-00721-KG-KK

SECOND REVISED SETTLEMENT AGREEMENT

The parties to this action held settlement conferences before United States magistrate judge Steven C. Yarbrough on February 25, 2019, March 29, 2019, and April 30, 2019, in an effort to resolve the disputed issues in this case. As a result of the settlement conferences, the parties reached an agreement which they reduced to writing and executed on the 14th day of May, 2019.

Following a hearing with United States magistrate judge Kirtan Khalsa on June 11, 2019, the parties agreed to clarify certain terms of their agreement. The parties incorporated those clarifications into a revised settlement agreement and they, through their undersigned counsel, executed the revised settlement agreement on August 14, 2019.

Following the court's preliminary approval of the revised settlement agreement on September 5, 2019, the parties agreed to certain modifications to the revised settlement agreement, which have been incorporated into this second revised settlement agreement. This second revised settlement agreement (referred to herein as the "revised settlement agreement") is now the operative Version of the settlement agreement and it supersedes the May 14, 2019, and August 14, 2019, versions of the agreement.

1. The New Mexico Corrections Department ("NMCD") agrees to take the following measures to reduce overcrowding and prevent further overcrowding in the future:
 - a. NMCD will ensure that each inmate housed in a dormitory or multiple occupancy room will have no less than 50 square feet of combined living and sleeping space, excluding dayrooms and bathrooms.
 - b. NMCD will take the following steps to reduce the number of inmates in the following facilities:
 - i. Northwest New Mexico Correctional Facility (NWNMCF) - Within 18 months from entry of this Court's preliminary approval order, NMCD will reduce NWNMCF's rated capacity from 748 inmates to 673 inmates and will not exceed the new rated capacity except as provided in this Revised Settlement Agreement. NMCD will accomplish this change by transferring at least 75 inmates from the dormitories to other New Mexico facilities with adequate space. Plaintiffs agree that by complying with this subparagraph (1)(b)(i), NMCD will have established at least 50 square feet of combined living and sleeping space, excluding dayrooms and bathrooms.
 - ii. Springer Correctional Center (SCC) - Within 18 months from the entry of this Court's preliminary approval order, NMCD will reduce SCC's rated capacity from 437 inmates to 308 inmates and will not exceed the new rated capacity except as provided in this Revised Settlement Agreement. NMCD will accomplish this change by transferring at least 129 inmates from the dormitories to other New Mexico facilities with adequate space. Plaintiffs agree that by complying with this subparagraph (1)(b)(ii), NMCD will have established at least 50 square feet of combined living and sleeping space, excluding dayrooms and bathrooms.
 - iii. Western New Mexico Correctional Facility (WNMCF)- Within 18 months from entry of this Court's preliminary approval order, NMCD will reduce WNMCF's rated capacity from 393 inmates to 353 inmates and will not exceed the new rated capacity except as provided in this Revised Settlement Agreement. NMCD will accomplish this change by transferring at least 40 inmates from the dormitories and multiple occupancy rooms at WNMCF to other New Mexico facilities with adequate space. Plaintiffs agree that by complying with this subparagraph (1)(b)(iii), NMCD will have established at least 50 square feet of combined living and sleeping space, excluding dayrooms and bathrooms.
 - iv. Otero County Prison Facility (OCPF)- Within 18 months from entry of this Court's preliminary approval order, NMCD will reduce OCPF's rated capacity from 647 inmates to 607 inmates and will not exceed the new rated capacity except as provided in this Revised Settlement Agreement. NMCD will accomplish this change by transferring at least 40 inmates from the dormitories to other New Mexico facilities with adequate space. Plaintiffs

agree that by complying with this subparagraph (1)(b)(iv), NMCD will have established at least 50 square feet of combined living and sleeping space, excluding dayrooms and bathrooms.

- v. Once NMCD has reduced the number of inmates in dormitories as provided in subparagraphs (1)(b)(i)-(iv) above, for purposes of disengagement, it will maintain the reduced number of inmates resulting from those moves for a period of at least six months. Defendants shall not make a motion for substantial compliance with this provision until the end of that six month period.

- c. NMCD will not house more than one inmate in a cell unless that cell contains at least 120 square feet, and such cells must allow prisoners direct access to hygiene facilities without assistance from a staff member.

- i. Exception to subparagraph (1)(c): The S-Unit (now HU3) at WNMCF may be used for double occupancy housing, but because these rooms do not contain toilets, sinks, or any running water, the doors to these rooms must remain open at all times unless there is a bona fide emergency or an occupant requests that his or her door be locked. In these events, care must be taken to unlock the door promptly whenever any occupant of a locked room requests that the door be unlocked. An emergency is defined as a circumstance caused by a riot, fire, or similar event not caused intentionally by Defendants, their agents, or employees.

- d. Areas, including dayrooms, not designed for housing prisoners may be utilized for the housing of prisoners only as provided in this Revised Settlement Agreement.

- i. From time to time, NMCD may need to place prisoners in dayrooms on a temporary basis to accommodate increasing population levels while other alternatives are developed.

- ii. NMCD may house prisoners in dayrooms only if the following conditions are met:

- 1. When a need arises for prisoners to be housed in any dayroom, if vacancies exist at any minimum or medium security facility, NMCD shall make conscientious efforts through the application of its classification procedures in operation at that time to identify medium security prisoners eligible for reclassification and reassignment to minimum security facilities or reassignment to other medium security facilities where non-dayroom beds are available. In order to accomplish this objective, NMCD shall notify caseworkers in all medium security facilities of the need to evaluate likely candidates for reclassification and reassignment as promptly as possible, consistent with the normal and efficient operation of the classification process.

- 2. Only dayrooms in general population medium or minimum security housing units are utilized to house prisoners; provided, however, that dayrooms in the Reception and Diagnostic Centers for male and female inmates may be used to house prisoners whose preliminary classification review by someone trained in classification procedures indicates that those prisoners can be housed appropriately in a dayroom setting. This review shall consist, at a minimum, of (a) the assignment of the prisoner to a cell for a period of at least three days prior to the prisoner's assignment to a dayroom, (b) an opportunity for the prisoner to meet privately with the classification person to discuss any concerns the prisoner may have concerning the prisoner's possible assignment to a dayroom, and (c) a documented preliminary determination that the prisoner can be housed appropriately in a dayroom.

- 3. No more than five prisoners per day room shall be assigned to dayrooms in any facility and the dayroom housing must provide a minimum of 50 square feet of combined living and sleeping space per inmate (excluding the cell left open for hygiene, as set forth below).

- 4. One cell in any pod in which prisoners are housed in the dayroom must be vacated so that the hygiene facilities in that cell are available for use by prisoners housed in

the dayroom. This provision shall not apply if the prisoners housed in the dayroom have direct access without assistance from a staff member to suitable hygiene facilities at all times.

5. No individual prisoner is housed in a dayroom for more than 120 consecutive days.
6. No general population prisoner classified as maximum or close custody is housed in a dayroom.
- iii. NMCD may not house more than 120% of the design capacity at a particular facility. NMCD may not house a total of more than 500 prisoners for the entire prison system in dayrooms.
- iv. Whenever NMCD houses inmates in dayrooms pursuant to this Revised Settlement Agreement, NMCD shall notify Plaintiffs' counsel in writing prior to doing so if reasonably possible and in no event later than the 10th day of the month following the housing of inmates in dayrooms.
- e. Notwithstanding any other provisions in this Revised Settlement Agreement, Defendants shall not make a motion for substantial compliance with subparagraphs (1)(a), (c) or (d) unless and until they have been found to be in substantial compliance with respect to all provisions of subparagraph (1)(b).
2. NMCD has initiated a study, which is being performed by the Institute for Social Research ("ISR"). The ISR study is assessing the potential benefits of revising the classification process, including establishing separate classification systems for male and female inmates. NMCD will ensure that the ISR study is completed and implemented and will pay Dr. James Austin his hourly rate of \$175 per hour, up to \$20,000, to provide input to ISR on these matters. Compliance with this provision is established upon the completion and substantial implementation of the ISR study. Plaintiffs and Defendants may agree that NMCD has complied with this provision and submit a stipulated order to that effect. In the event that Defendants have been found to be in sustained compliance with all other provisions of this Revised Settlement Agreement except this paragraph 2, then Plaintiffs' counsel will limit their monitoring relating to this Revised Settlement Agreement to matters directly related to the completion and implementation of the ISR study.
3. NMCD will conduct at least two hiring fairs and host at least one satellite academy, which shall be undertaken in different locations around the state, in each of the two years following the date of the Court's final approval of this Revised Settlement Agreement.
4. To decrease staff vacancies, within three months of the entry of this Court's final approval order, NMCD will adopt new hiring policies that reevaluate the physical fitness needs for various positions with a goal towards enlarging the applicant pool. These new policies will be provided to the Plaintiffs and to the Court.
5. Within three months of the entry of this Court's final approval order, and consistent with the limitations provided in NMSA 1978, §§ 33-2-34 (E) and (F), NMCD will allow inmates to receive one month good time lump sum awards ("LSAs") for each individual stage of the Residential Drug Abuse Program. The stages of this program currently include: (1) Orientation and Rational Thinking; (2) Criminal Lifestyle-Living With Others; and (3) Recovery, Maintenance, and Transition Living.
6. Within three months of the entry of this Court's final approval order, NMCD will modify its LSA policy prohibiting inmates who are within 90 days of their release date from being awarded LSAs. Inmates who are 45 days or more from their release date shall be eligible for LSAs.
7. NMCD will meet American Correctional Association ("ACA") standards regarding toilet-to-inmate ratios, and will ensure toilets are working within 48 hours of a verbal or written inmate complaint regarding plumbing problems. NMCD shall not seek a waiver of these requirements from the ACA.
8. NMCD will meet ACA standards regarding shower-to-inmate ratios. NMCD shall not seek a waiver of these requirements from the ACA.

9. NMCD will ensure there is an adequate supply of safe drinking water at the Springer Correctional Center. This provision is intended to address those situations in which the local municipality has raised concerns regarding the quality of the municipal water supply. If the municipal water supply is unsafe or inadequate, NMCD will provide inmates with bottled water.
10. NMCD will retain professionally licensed exterminators to be deployed at least monthly for the duration of this revised settlement agreement at WNMCF and NWNMCF to mitigate concerns about rodents and vermin at the facilities.
11. Within eighteen months of the entry of this Court's final approval order, NMCD will retrain records staff regarding file audit reviews and good time calculations to improve the accuracy of those reviews and calculations. NMCD will provide a copy of the training materials to Plaintiffs' counsel and provide regular updates to Plaintiffs' counsel regarding the progress of this training until it is completed. Plaintiffs may not approve or disapprove of these training materials. This provision is satisfied once all records staff have been retrained.
12. The Classification Supervisor will ensure that the Parole Board Docket Form is accurate and that it, along with the Parole Plan, is submitted to the Adult Parole Board ("Board") via e-mail no later than 90 days prior to a class member's projected release date for class members that will serve parole in New Mexico and no later than 120 days prior to the class member's projected release date if the class member will serve parole out of state. NMCD will ensure that class members are timely released on their certified release date following receipt of parole board certificate and, where applicable, when there is available space at a halfway house, transitional living center, or long-term residential treatment center. Substantial compliance with this provision means that NMCD complies with the provisions of this section at least 85% of the time. Beginning no later than thirty days after the entry of this Court's final approval order, NMCD will provide Plaintiffs' counsel with monthly reports documenting production of the Parole Board Docket Form, Parole Plan, and release date for all class members.
13. NMCD will not take away good time or otherwise discipline class members for reporting in good faith alleged PREA violations, as provided in PREA Standard 28 C.F.R.115.78(f). However, NMCD does not waive its rights under PREA Standard 28 C.F.R. 115.52(g).
14. All men confined to a medium or higher custody facility and all women of any classification level in NMCD custody will receive the benefits of this Revised Settlement Agreement.
15. Medical/Geriatric Parole - NMCD shall identify geriatric, permanently incapacitated, and terminally ill class members eligible for geriatric or medical parole based on rules established by the Board and give notice to those inmates no later than December 31, 2019 and on an annual basis thereafter. NMCD shall forward an application and documentation in support of parole eligibility to the Board within thirty days of receipt of an application from a class member. The documentation shall include information concerning the class member's age, medical history and prognosis, institutional behavior and adjustment and criminal history. The class member or his or her representative may submit an application to the Board. NMCD will adhere to these provisions for the duration of this Revised Settlement Agreement.

With respect to any parolee who is a class member at the time he or she is released, who comes under the supervision of the probation and parole department, and serves one-half of his or her required parole time without a major violation, NMCD will provide a written recommendation to the Board that such parolee's parole time be reduced by one-half. This provision is not intended to expand the scope of the class and does not apply to:

 - a. Sex offenders;
 - b. Serious violent offenders; and
 - c. Offenders who are serving sentences for a DWI sixth or higher.
17. As remedial relief, NMCD agrees to award one month's worth of good time consistent with NMSA 1978, § 33-2-34(A) (2015) to the following inmates: (1) any inmate who was housed for at least 60 days in dormitories at NWNMCF from March 1, 2014 until the date the Court finds that Defendants are in substantial compliance with subparagraph (1)(b)(i) of this Revised

Settlement Agreement; (2) any inmate who was housed for at least 60 days at SCC from October 1, 2016 until the date the Court finds that Defendants are in substantial compliance with subparagraph (1)(b)(ii) of this Revised Settlement Agreement; (3) any inmate housed for at least 60 days in dormitories at WNMCF from October 1, 2016 until the date the Court finds Defendants are in substantial compliance with subparagraph (1) (b) (iii) of this Revised Settlement Agreement; and (4) any inmate housed for at least 60 days in dormitories at OCPF from October 1, 2016 until the date the Court finds Defendants are in substantial compliance with subparagraph (1)(b)(iv) of this Revised Settlement Agreement. Only one award will be made to eligible inmates. Excluded from this provision are any inmates who have a sustained finding of assault against a staff member. Also excluded from this provision are those inmates who have less than 45 days of time left to serve on their sentence as measured from the entry of this Court's final approval order. These good time awards shall be made within 30 days of this Court's final approval order. For inmates who become eligible for these good time awards after the date of the final approval order, the awards shall be made within 30 days of the date the inmate becomes eligible.

18. Unless otherwise stated in this Revised Settlement Agreement, each provision will go into effect on the date this Court enters its final approval order.
19. The parties will agree to an access order that reasonably permits Plaintiffs to monitor compliance with this Revised Settlement Agreement. If the parties cannot agree to an access order by the date upon which objections to the Revised Settlement Agreement are due to the Court, the parties will present competing access orders to the Court, and the Court will adopt an access order of its choosing.
20. The parties agree to collaborate in the exchange of information necessary to ensure the Defendants' compliance with and the expeditious resolution of this Revised Settlement Agreement. Where absolutely necessary, and only after conferring with Defendants, Plaintiffs may seek formal discovery through specific requests that address the terms of this Revised Settlement Agreement. The Defendants do not relinquish their right to object or otherwise seek limitations to the proffered discovery. Any dispute regarding discovery will be resolved by the Court.
21. When the Defendants believe they have substantially complied with any of the items set forth in this Revised Settlement Agreement , they will notify the Plaintiffs in writing. The notice will state the basis for asserting substantial compliance. At any time after thirty days from this notice, the Defendants may file a motion for a finding of substantial compliance as to the item(s) addressed in the notice. If the motion is contested, the parties will request that the Court hold a hearing and enter its findings and conclusions. If the Court determines that the Defendants have substantially complied with the item(s) of this Revised Settlement Agreement to which the motion pertains, it will enter an order finding substantial compliance as to the item(s) to which the motion pertains. If Defendants maintain sustained compliance for 6 months from the date of the Court' s order finding substantial compliance, and the Defendants' sustained compliance is unchallenged, the Court's will enter an order terminating its oversight of and disengaging such item(s). If the Plaintiffs challenge Defendants' proffer of sustained compliance, the Court will resolve the dispute after a hearing. Upon a determination of sustained compliance as to an item and the Court' s resulting termination of the oversight of and disengagement of that item, either by agreement of the parties or as a result of the Court' s determination , the Defendants will no longer be required to report on that item or compensate the Plaintiffs for attorney, paralegal, or investigator time spent monitoring that item.
22. Upon the Court's termination of its oversight of and the disengagement of all of the items in this Revised Settlement Agreement, Defendants will be deemed to have complied with the terms of this Revised Settlement Agreement and all provisions of the Revised Settlement Agreement and all prior consent decrees will be vacated.
23. Defendants agree not to file a motion to terminate pursuant to the PLRA until they have achieved sustained compliance with the provisions of this Revised Settlement Agreement, as provided in Section 21. Plaintiffs agree not to seek expansion of this Revised Settlement Agreement or to monitor facilities beyond the scope of this Revised Settlement Agreement.

24. Plaintiffs agree that NMCD has no authority over the Adult Parole Board and do not now, and will not in the future, make any claims that this Revised Settlement Agreement is being violated due to the conduct, actions, or decisions of the Board.
25. The parties agree not to move to modify this Revised Settlement Agreement.
26. Plaintiffs' counsel reserve the right to argue for an award of attorneys' fees and expenses incurred for their reasonable and necessary work in negotiating and securing this Revised Settlement Agreement, as well as a nterpretation or enforcement of this revised settlement agreement, they must first confer prior to filing any motion. Except, in the case of an emergency, a party may file an emergency motion.
27. Based upon the entire record, the parties stipulate and jointly request that the Court find that the relief set forth in this Revised Settlement Agreement is narrowly drawn, extends no further than necessary to correct the violation of Plaintiffs' federal rights, and is the least intrusive means necessary to correct the violation of Plaintiffs' federal rights.
28. Plaintiffs agree that this Revised Settlement Agreement constitutes the entire set of obligations and duties necessary for Defendants' full release from this litigation and all attendant Court orders in both the Duran and Klatt lawsuits.
29. The intention of this Revised Settlement Agreement is to allow for final resolution of this litigation and to allow Defendants to dissolve the consent decree in this litigation.

Executed: February 10, 2020

Alexandra Freedman Smith
LAW OFFICE OF ALEXANDRA
FREEDMAN SMITH, LLC

Matthew L. Garcia
GENERAL COUNSEL FOR GOVERNOR
MICHELLE LUJAN GRISHAM

Katherine Loewe
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Alisha Tafoya Lucero
CABINET SECRETARY FOR
THE NEW MEXICO CORRECTIONS
DEPARTMENT

Counsel for Plaintiffs

Jennifer Saavedra
ASSISTANT NEW MEXICO ATTORNEY
GENERAL

Defendants and Counsel for Defendants

30. any attorneys' fees and expenses for prior work in this litigation, and Defendants reserve the right to object to those attorneys' fees and expenses.
31. The court shall retain jurisdiction over any dispute that may arise with respect to the interpretation or
32. enforcement of this revised settlement agreement. The parties agree that if a dispute arises regarding i

DISCIPLINARY HEARING PROCEDURES: (Both Major and Minor Levels)

A Disciplinary Hearing shall be conducted by an impartial person designated as a Disciplinary/Hearing Officer by the Warden. Inmates shall be notified of the time and place of the hearing at least 24 hours prior to the hearing, unless the inmate waives his/her notification in the presence of two additional staff witnesses.

The Disciplinary/Hearing Officer shall conduct a hearing within seven working days from the date of discovery unless prevented by exceptional circumstances that shall be documented as an institutional continuance. An institutional continuance must be served to the inmate no later than the scheduled hearing date unless the inmate is not available due to transfer, court, medical transport, escape, etc.

A continuance may be granted for good cause to the inmate or the institution by the Disciplinary/Hearing Officer for a reasonable period of time not to exceed 7 working days per continuance that shall be documented and attached to the Disciplinary Packet. A continuance of more than 7 days may be granted if an inmate is transferred to another facility prior to the hearing.

The inmate should receive a hearing within 30 working days of his/her return to the facility, if absent from the facility prior to or on the day of the scheduled hearing.

MINOR LEVEL HEARINGS AND RECOMMENDED DECISION

Hearings 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.

The Disciplinary Officer shall submit a written recommended decision to a Warden as soon as practicable, but no later than ten 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 sanction(s) allowed for the offense for which the inmate was cited.

MAJOR LEVEL HEARINGS and RECOMMENDED DECISION

Inmates charged with rule violations will be present at their hearings unless they waive that right in writing, refuse to attend the hearing, engage in disruptive behavior, or pose a threat to the security of the institution. Inmates may be excluded during any testimony given in confidence and the reasons for the absence or exclusion will be documented. When an inmate escapes from custody, the Hearing Officer may conduct a hearing in the inmate's absence.

An inmate will be permitted to make his/her own statement, to call reasonably available witness and to present documents on his/her behalf, providing the calling of such witnesses and/or the disclosure of documentary evidence does not jeopardize the physical safety of staff, inmates or others.

If the witness is not reasonably available, the charged inmate will be advised that he/she may prepare written questions for the proposed inmate witnesses, such questions to be prepared prior to the hearing.

Once the disciplinary hearing has convened, such written questions will be submitted by the inmate or the inmate's representative to the Hearing Officer. The written questions will be made a part of the record. The Hearing Officer will determine: the relevancy of the questions submitted; whether the inmate is reasonably available; and/or whether the witness's safety would be jeopardized (e.g., victim, etc.).

If the Hearing Officer determines the question(s) are irrelevant, or the inmate is not reasonably available, or questioning the inmate would jeopardize his/her safety, etc., the Hearing Officer will document on the record the rationale for such determination.

If the Hearing Officer determines that the questions will be asked, for example; the questions are deemed relevant, and the inmate is reasonably available, and questioning the inmate will not jeopardize safety, the Hearing Officer will either pause the hearing or grant a continuance in order to obtain the witness response to the written questions.

Inmate witnesses classified as Level I, II, III, or IV and housed at a Level I, II, III, or IV facility who are reasonably available whose presence would not jeopardize their safety or the safety of the institution, and who are to respond to relevant questions shall ordinarily appear in person before the Hearing Officer to respond to the written questions.

The Hearing Officer will tape record the reading of the question(s) and the inmate witness response. The tape-recorded testimony will be made a part of the Hearing Record and be maintained.

The Hearing Officer will allow the inmate to submit logical follow up questions and will make reasonable efforts to identify logical follow up questions, based upon the response of the inmate witness, and not limit the questioning to those submitted in advance by the charged inmate and factor such testimony into the Hearing Officer's decision.

Staff witnesses shall not be interrogated or cross-examined by the inmate. The inmate or the inmate's representative will submit written questions for the staff member to the Hearing Officer that will have been prepared prior to the hearing.

The Hearing Officer will determine the relevancy of the questions submitted and may grant a continuance.

The Hearing Officer may refer the Misconduct Report and the questions to the Disciplinary Officer for further investigation and/or interview the staff member themselves. Staff must cooperate with all Hearing Officer requests to testify.

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 in English adequately to comprehend the charge and present a defense, assistance will be provided by a person capable of communicating with the inmate and the Hearing Officer.

If an employee declines a request to represent an inmate, the inmate may select alternates. Employee representation may not include a Hearing Officer. The employee or inmate representative will be given a reasonable amount of time to consult with the inmate prior to proceeding with the hearing. All representatives must be reasonably available and at the same institution.

Physical evidence or replicas thereof (e.g., photos of the physical evidence), may be presented at the hearing upon the hearing officer's determination of necessity. All photos should have a date, time, brief description and the name of the staff member who took the photo, printed on the photo if possible. If a photo cannot be written on, a Chain of Custody should then accompany that photo. The Hearing Officer shall determine the integrity of any photos submitted on a case-by-case basis and based on relevancy (i.e., a photo submitted of a tattoo may not contain the requested information but the hearing officer can simply order the inmate to reveal the tattoo at the hearing).

Where information obtained from a confidential informant is used, the Hearing Officer will evaluate the reliability of the informant and state on the record the grounds for finding the informant reliable. The reliability of the informant shall be based on the informant having provided reliable information in the past, the information being offered is based on first hand observations, or there is corroboration either from another source or through physical or other evidence showing the reliability of the informant's data.

A summary of the confidential information will be prepared by the Hearing Officer prior to the hearing including reasons for a finding of reliability and be attached to the final disciplinary decision packet. The Hearing Officer will use due caution in preparing the summary as not to divulge any information which would identify the source(s) of the information. Inmates are not permitted to ask specific questions about the information summarized in an attempt to identify the source(s) of the Confidential Information. No inmate shall be found to have committed the offense solely on the testimony of a single confidential informant.

The Hearing Officer will produce a written summary of the proceedings including a summary of the evidence, excluding identifying information on confidential sources, on the Disciplinary Hearing Summary of Evidence and Proceeding Form. The summary shall include what occurred during the course of the hearing with special attention to witnesses, evidence, and confidential information, and inmate testimony, motions for dismissal, considerations requested by the inmate and mental health considerations. Denial of any witness must be substantiated and documented. The Hearing Officer will also provide a written recommended decision as soon as practicable, but no later than ten working days following the conclusion of the hearing, unless prevented by exceptional circumstances. Reasons for delay shall be documented.

The decision will be based on a preponderance of the evidence and only the evidence presented at the hearing. The Hearing Officer will identify what he/she relied upon for the finding on the Disciplinary Decision Form.

The Hearing Officer may recommend any one or a combination of the following actions:

- **Dismiss Charge(s). (Ensure report is removed from all of the inmate's files).**
- **Impose sanctions allowed for the offense for which the inmate was found guilty.**
- **Recommend that an inmate be placed in disciplinary segregation for a specified period up to the allowable maximum period, refer to the Category "A" Sanction Chart Attachment and Category "B" Sanction Chart Attachment for maximum limits and that an inmate be referred to the Institutional Reclassification Committee (IRC) for a custody review.**
- **Recommend to the IRC that a specified amount of Good Time be forfeited. Refer to the Category "A" Sanction Chart and the Category "B" Sanction Chart for maximum limits.**
- **Recommend suspension of the allowable punishments for a specified period of time and for specified conditions. Although the sanctions of a report may be suspended, the finding of guilt on the report itself cannot be suspended.**

Category "A" Offenses

OFFENSES CATEGORY A OFFENSES	LOSS OF PRIVILEGES (MAX DAYS)	PUNITIVE SEGREGATION (MAX DAYS)	LOSS OF GOOD TIME (MAX DAYS)
MURDER	365 days	Max 30 days	All good time
MANSLAUGHTER	365 days	Max 30 days	All good time
TAKING OF HOSTAGES OR KIDNAPPING	365 days	Max 30 days	All good time
ARSON	365 days	Max 30 days	All good time
BATTERY	365 days	Max 30 days	All good time
ASSAULT OR BATTERY WITH A WEAPON	365 days	Max 30 days	All good time
ASSAULT OR BATTERY WITHOUT A WEAPON	365 days	Max 30 days	All good time
ASSAULT OR BATTERY WITHOUT A WEAPON ON AN INMATE	365 days	Max 30 days	All good time
ENGAGING IN RIOT	365 days	Max 30 days	All good time
INCITING TO RIOT	365 days	Max 30 days	All good time
ESCAPE WITH FORCE	365 days	Max 30 days	All good time
ESCAPE WITHOUT FORCE	365 days	Max 30 days	All good time
POSSESSION OF ESCAPE PARAPHERNALIA	365 days	Max 30 days	All good time
THREATS	365 days	Max 30 days	All good time
ABUSE OF MEDICATION	365 days	Up to 30 days	All good time
POSSESSION OF SYRINGE OR DRUG PARAPHERNALIA	365 days	Up to 30 days	All good time
REFUSAL TO SUBMIT TO A DRUG TEST	365 days	Max 30 days	All good time
POSSESSION OR USE OF DANGEROUS DRUGS	365 days	Max 30 days	All good time
DEALING IN DANGEROUS DRUGS	365 days	Max 30 days	All good time
POSSESSION OF DANGEROUS CONTRABAND	365 days	Max 30 days	All good time
SEXUAL MISCONDUCT	365 days	Max 30 days	All good time
RAPE	365 days	Max 30 days	All good time
ROBBERY OR EXTORTION	365 days	Max 30 days	All good time
BRIBERY	180 days	Up to 30 days	All good time
FORGERY	180 days	Up to 30 days	All good time
FRAUD	180 days	Up to 30 days	All good time
PARTICIPATING IN, CONTRIBUTING TO, OR IMPENDING CONTROL OF A DISTURBANCE IN ANY AREA EITHER PHYSICALLY OR VERBALLY	180 days	Up to 30 days	All good time
TAMPERING WITH LOCKS OR SECURITY ITEMS	180 days	Up to 30 days	All good time
POSSESSION OF KEY OR KEY PATTERN	180 days	Up to 30 days	All good time
TATTOOING AND/OR POSSESSION OF TATTOO PARAPHERNALIA	180 days	Up to 30 days	All good time
ATTEMPT OR COMPLICITY	Same penalty prescribed for the substantive offense		
REFUSAL TO MOVE OR TO BE RESTRAINED	180 days	Up to 30 days	All good time
POSSESSION OF GANG PARAPHERNALIA	180 days	Up to 30 days	All good time
ENGAGING IN SECURITY THREAT GROUP/STREET GANG ACTIVITY	180 days	Max 30 days	All good time
ANY ACT NOT LISTED ABOVE THAT CONSTITUTE A FELONY	180 days	Up to 30 days	All good time
ATTEMPT OR ENGAGING IN A PERSONAL RELATIONSHIP WITH A MEMBER OF STAFF ETC.	180 days	Up to 30 days	All good time
POSSESSION OF TOBACCO (1 OUNCE OR MORE)	180 days	Up to 30 days	All good time
BRINGING CONTRABAND INTO PLACES OF IMPRISONMENT	180 days	Up to 30 days	All good time
FIGHTING	180 days	Up to 30 days	All good time
SEXUAL HARRASSMENT	180 days	Up to 30 days	All good time
TAMPERING WITH EVIDENCE	180 days	Up to 30 days	All good time
FAILURE TO PARTICIPATE IN THE PAROLE PLAN PROCESS	180 days	Up to 30 days	90 days

OFFENSES CATEGORY B OFFENSES	LOSS OF PRIVILEGES (MAX DAYS)	PUNITIVE SEGREGATION (MAX DAYS)	LOSS OF GOOD TIME (MAX DAYS)
PERJURY	120 days	Up to 30 days	120 days
KNOWINGLY MAKING A FALSE STATEMENT TO ANY STAFF MEMBER	120 days	Up to 30 days	120 days
COUNT INTERFERENCE	120 days	Up to 30 days	120 days
INTERFERENCE WITH SEARCH	120 days	Up to 30 days	120 days
FAILURE TO PROGRAM	120 days	Up to 30 days	120 days
WILLFUL REFUSAL, WITHOUT A STATUTORY OR REGULATED EXEMPTION, TO PARTICIPATE IN THE INMATE LITERACY PROGRAM	120 days	Up to 30 days	120 days
UNAUTHORIZED ABSENCE	120 days	Up to 30 days	120 days
VIOLATING A CONDITION OF FURLOUGH, SCHOOL OR WORK RELEASE OR OTHER Etc.	120 days	Up to 30 days	120 days
PRESENCE UNAUTHORIZED OR REST. AREAS	120 days	Up to 30 days	120 days
GAMBLING	120 days	Up to 30 days	120 days
CONDUCT WITH VISITOR (S) IN VIOLATION OF FACILITY VISITING REGULATIONS	120 days	Up to 30 days	120 days
ALTERATION OF ANY FOOD OR DRINK	120 days	Up to 30 days	120 days
SEXUAL HARASSMENT	120 days	Up to 30 days	120 days
VERBAL ABUSE OR GESTURES	120 days	Up to 30 days	120 days
POSSESSION OF UNAUTHORIZED LEGAL DOCUMENTS OR IMPROPER LEGAL ASSISTANCE	120 days	Up to 30 days	120 days
DISOBEYING A LAWFUL ORDER	120 days	Up to 30 days	120 days
ASSOCIATION	120 days	Up to 30 days	120 days
HORSEPLAY	120 days	Up to 30 days	120 days
CONTEMPT OF COMMITTEE	120 days	Up to 30 days	120 days
ENTERING INTO CONTRACT	120 days	Up to 30 days	120 days
UNAUTHORIZED USE OF EQUIPMENT	120 days	Up to 30 days	120 days
VIOLATION OF ANY CORRESPONDENCE REGULATION (S)	120 days	Up to 30 days	120 days
POSSESSION OF TOKENS BEYOND THE AMOUNT SPECIFIED BY POLICY	120 days	Up to 30 days	120 days
BARTERING, SELLING GOODS AND COMMODITIES OR SERVICES	120 days	Up to 30 days	120 days
POSSESSION OF CONTRABAND ITEMS	120 days	Up to 30 days	120 days
DAMAGE TO PROPERTY	120 days	Up to 30 days	120 days
THEFT	120 days	Up to 30 days	120 days
RECEIVING STOLEN PROPERTY	120 days	Up to 30 days	120 days
ALTERATION OF A CELL, LIVING AREA HOUSING UNIT OR FACILITY	120 days	Up to 30 days	120 days
SANITARY VIOLATION	120 days	Up to 30 days	120 days
FAILURE TO DISPLAY IDENTIFICATION, NAME, NUMBER AND/OR CARD	120 days	Up to 30 days	120 days
FAILURE TO OBTAIN PERMIT	120 days	Up to 30 days	120 days
FAILURE TO FOLLOW PUBLISHED RULES OR REGULATIONS	120 days	Up to 30 days	120 days
SELF-MUTILATION PER B(34)	180 days	Up to 30 days	120 days
USING OFF-HOUR CALLS INAPPROPRIATELY PER B(35)	90 days	Up to 30 days	120 days
ATTEMPT OR COMPLICITY	Same penalty prescribed for the substantive offense		
ANY ACT CONSTITUTING A MISDEMEANOR	365 days	Up to 30 days	All good time
IMPROPER LEGAL ASSISTANCE	120 days	Up to 30 days	120 days
POSSESSION OF TOBACCO Less than 1 ounce	120 days	Up to 30 days	120 days

ORIENTATION/INTAKE VERIFICATION

The following topics were explained during Orientation by the Springer Correctional Center Staff. I also received an Orientation/Intake Packet, which briefly describes the following topics:

READ CAREFULLY AND KEEP FOR YOUR INFORMATION

Visiting hours are Saturday, Sunday and approved State holidays from 8:30 a.m. to 3:30 p.m.

Because of space limitations, no more than three (3) persons may visit an inmate at one time. When more than three approved visitors wish to visit during the same period, they may alternate so that no more than three (3) visitors are present at one time during the regular visiting period. The number of visitors per inmate may be reduced without prior notice if over-crowding or other situations exist which may pose a threat to the security of the institution.

All visitors over the age of 16 will be required to produce government issued picture identification, such as a driver's license or other identification with a recognizable picture. Children less than sixteen (16) years of age will not be charged against the number of adult visitors (3) allowed to visit at one time. They must, however, be kept under reasonable control in both the visiting room and waiting area. Nuisance created by children and/or adults will be sufficient reason to terminate a visit.

The visiting room will be designed to permit informal communication and are permitted a brief hug and/or kiss at the beginning and upon completion of the visit. Inmates may be seated next to all visitors, are permitted to hold hands and may hold his children.

Written messages and photographs may be exchanged during a visit after inspection and approval by the visiting officer. Visitors will not be permitted to take the following items into the visiting room: Cigarettes, Lighters, Matches, Purses, Gum, Candy, Food, and all other items (wallets, diaper bags, prescription medications, etc.) must be stored in the visitor's vehicle before entry into the visitation building.

It is the policy of SCC that, in accordance with State law, it is a violation for any person to introduce into the institution any article of contraband including explosive materials, currency, weapons, ammunition, intoxicants, controlled substances or any article expressly prohibited by the institution.

The visiting officer will not accept inmate funds. All inmate funds must be mailed into the institution by way of Cashier's check or money order.

All visitors and inmates are required to comply with the visiting rules that are posted in the visiting room.

Smoking is not permitted in the visiting room.

Any attempt to circumvent the regulations outlined in this policy statement may result in loss of visiting privileges and possible further action against the inmate and/or visitors pursuant to the laws of the State of New Mexico and the Inmate Disciplinary Code.

Special Visits

All special visits not covered in this policy statement, e.g., visitors coming long distances, (over 100-miles) prospective employers, law enforcement officers, etc., must be approved by the Unit Manager, in advance, and in writing.

Immediate family members who reside out-of-state and who seldom visit do not necessarily have to be placed on the regular visiting list. They may visit under this regulation.

The following procedure will be followed for obtaining special visits, including visits with members of the clergy, hospital visits, family members, friends, etc.

A Special Visit Request Form will be completed and submitted to the caseworker at least two (2) days prior to the requested visit date (Special Visit Request Forms may be obtained from their caseworker).

The caseworker will submit the request form to the Warden for final approval.

The inmate will be advised whether the request is approved or denied.

Because of space limitations, no more than three (3) persons may visit an inmate at one time. When more than three (3) approved visitors wish to visit during the same period, they may alternate so that no more than three visitors are present at one time during the regular visiting period. The number of visitors per inmate may be reduced without prior notice if over-crowding or other situations exist which may pose a threat to the security of the institution.

Children less than sixteen (16) years of age will not be charged against the number of adult visitors (3) allowed to visit at one time. They must, however, be kept under reasonable control in both the visiting room and waiting area. Nuisance created by children and/or adults will be sufficient reason to terminate a visit.

Each inmate may have up to a maximum of fifteen (15) approved visitors regardless of their relationship, providing the Warden has cleared them. The Warden may authorize an increase in the list under special circumstances, such as in cases where the inmate's immediate family exceeds fifteen (15).

Visitors (Under Age)

Brothers, sisters, children and grandchildren over the age of sixteen (16) may be approved for visiting privileges and must visit accompanied by an approved adult.

No other visitors under the age of eighteen (18) years of age will be permitted to enter the institution for visiting purposes unless accompanied at all times by an adult approved for visiting the same inmate.

All visitors over the age of sixteen (16) will be required to produce picture identification, such as a driver's license or other identification with a recognizable picture.

All visitors are strictly prohibited from wearing any type of hat gear and sunglasses within the visiting room.

Conduct During Visits

The visiting room will be designed to permit information communication and are permitted a brief hug and/or kiss at the beginning and upon completion of the visit. Inmates may be seated next to all visitors, are permitted to hold hands and may hold his children.

Disorderly conduct, which disrupts the operations of the visiting room or would offend others, is not permitted.

All visitors and inmates are required to comply with the visiting rules that are posted in the visiting room:

Dress Code for Visitors

Male Visitors

A shirt must be worn at all times while in the institution. White or colored undershirts when used as an outer garment are not acceptable.

Cut-offs and beach-type shorts are not acceptable. Boys, eight (8) years of age and younger may wear shorts if pants are no shorter than three (3) inches above the knee.

Some type of footwear must be worn at all times. Beach-type thongs, etc., do not constitute footwear.

No hats (including headbands) will be worn in the visiting room.

Spiked belts and spiked wristbands are prohibited.

Chain belts are not allowed.

Gang or gang type clothing is not allowed.

Sleeveless shirts are not allowed.

Female Visitors

Undergarments, including brassieres, must be worn.

Cut-offs and beach-type shorts are not acceptable. Girls, eight (8) years of age and younger may wear shorts if pants are no shorter than three (3) inches above the knee.

See-through blouses, dresses, pants or open knitted garments, such as slips, bras and camisoles are not acceptable.

Sleeveless blouses or dresses are not allowed.

Sheer dresses, shirts or blouses without proper undergarments, such as slips, bras and camisoles are not acceptable.

Dresses and skirts with slits are not allowed if the slit is more than three (3) inches above the upper knee.

Clothing, such as halter-tops and tube tops, exposing the midriff are not acceptable.

Spiked belts and spiked wristbands are prohibited.

Chain belts are not allowed.

Some type of footwear must be worn at all times. Beach-type thongs, etc., do not constitute footwear.

Backless tops, dresses or shirts are not acceptable.

Low-cut blouses (shirts), v-necks, are **not** acceptable should the cleavage show.

Sundresses are not acceptable.

Any clothing which is skin tight (skin tight slacks, shirts or blouses) will not be allowed.

Sweat clothing may be worn, with exception of shorts.

Gang or gang type clothing is not allowed.

General

When attire not covered in this policy statement is deemed inappropriate, the Visiting Room Officer will bring the matter to the attention of the Shift Supervisor. Clothing that might present problems in identification between visitors and inmates must be carefully scrutinized. Visitors are subject to denial of visiting privileges if attire is deemed inappropriate.

No cellular phones, pagers, or recorders allowed in the institution.

FACILITY ADDRESS IS AS INDICATED BELOW

**SPRINGER CORRECTIONAL CENTER
P. O. BOX 10**

**SPRINGER, NEW MEXICO 87747
(575) 483-3100**

- SPRINGER CORRECTIONAL CENTER IS LOCATED ON 201 HIGHWAY 468
- AIR TRANSPORTATION IS NOT AVAILABLE IN OR OUT OF SPRINGER
- GROUND TRANSPORTATION IS NOT AVAILABLE IN OR OUT OF SPRINGER
- TRANSPORTATION via CAB IS NOT AVAILABLE IN OR OUT OF SPRINGER
- RENTAL CARS ARE NOT AVAILABLE IN OR OUT OF SPRINGER
- VISITATION IS CONDUCTED ON WEEKENDS AND ON RECOGNIZED STATE HOLIDAYS FROM 8:30 A.M. TO 3:30 P.M

**INTAKE INMATE VISITATION
INFORMATION ACKNOWLEDGEMENT**

I, _____ NMCD # _____ received a copy of the Inmate Visitation Information Packet on _____
Inmates Name (Print) Date

INMATE SIGNATURE NMCD #

DATE

ISSUING STAFF SIGNATURE and TITLE

DATE