

Northeast Regional Corrections Center

**6102 Abrahamson Road,
Saginaw, MN 55779
Phone (218) 729-8673**

Resident Handbook

Revised 01 / 22 / 2015

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NERCC

The Northeast Regional Corrections Center (NERCC) is a minimum secure correctional facility offering a variety of programs and activities that are intended to reduce your possibility of further criminal court interventions.

While at NERCC, you are expected to take part in a group process that offers opportunities for education and personal growth. All NERCC residents are expected to abide by NERCC rules, support each other, and take responsibility for creating a safe and positive climate that makes it possible for individuals to make positive changes in their lives.

You are the only person who can decide whether or not you want to make changes in yourself. NERCC does not require you to make changes, but we do require you to learn how to change.

RESIDENT RIGHTS

You are entitled to fair and impartial treatment during your incarceration. You will not be discriminated against because of your race, religion, national origin, age, political beliefs, or special needs. You have a right to:

- Reasonable access to your attorney or other legal counsel.
- Appropriate medical care.
- Grieve any administrative/staff policy, decision or action.

The Resident Handbook is given to each new resident and reviewed by the staff doing the intake on an individual basis. The Resident Handbook is posted in the Resident Information Center for inspection at any time by a resident.

PRISON RAPE ELIMINATION ACT

Arrowhead Regional Corrections and NERCC are committed to the safety of all residents and staff. You have the right to serve your sentence with dignity and to be free from sexual assault, sexual harassment, and retaliation. We have a zero tolerance policy against sexual assault within our facility. This means that we do not tolerate any level of sexual harassment, misconduct, or assault, and every effort will be made to prevent it from happening. All residents will be informed as to how to report an allegation, and all allegations will be investigated.

If you are a victim of sexual assault, sexual misconduct, sexual harassment, or staff sexual misconduct, or you have seen or heard that another resident is a victim, you can report it in one of the following ways:

- Notify any staff member (verbally or in writing).
- Tell your caseworker or probation officer.
- Call the PAVSA 24 hour crisis line (218-726-1931) free of charge, from any NERCC payphone.

- Report it directly to the police.

If you are in need of rape crisis counseling, please notify staff or call the PAVSA crisis line, so they can assist you.

RESIDENT GRIEVANCE PROCEDURE

NERCC has a written grievance procedure which allows you to make a formal complaint about any aspect of your care during your stay in this facility. Forms are located in the Resident Information Center for easy accessibility.

When submitting a Grievance Form, complete the form and turn it in to a staff person.

The staff receiving the completed Grievance Form from you shall sign and date that they have received it. It shall then be given to an Institutional Supervisor. An Institutional Supervisor shall respond to the written grievance within three (3) working days. The Institutional Supervisor may need to do additional follow up to investigate the grievance. Once the grievance has been investigated, the Institutional Supervisor shall make a written response to you, explaining the decision.

You may appeal the supervisor's response to the Superintendent, in writing, within four days of receiving the supervisor's response. The superintendent will, in turn, review the matter and make written response to the resident within five (5) working days.

There will be no acts of reprisal against any resident for filing a grievance.

SECURITY

NERCC staff require your cooperation to maintain a safe and secure facility. Failure to cooperate can result in disciplinary action or transfer to a more secure facility.

You will be issued an identification (ID) card, which you will be required to wear at all times, except when you are sleeping. Your ID card must be visible and worn on your chest. If you lose or misplace your ID card, you must immediately inform staff. You will be assessed a fee to replace it. Tampering with your card or the zip ties will result in a Major Violation.

Formal Counts: Formal counts are both scheduled and random. When staff announce that there is a formal count, you must report to your bunkroom and remain on your bunk for the duration of the count. Staff will alert residents via the paging system that the count has been cleared, at which time directives will be given regarding movement. Scheduled counts are as follows:

7:45 A.M. 11:20 A.M. 4:45 P.M. 10:30 P.M.

Staff Directives: NERCC residents are required to abide by staff directives.

Code Red/Code Blue: In the event of an emergency, a Code Red or Code Blue may be called by staff. If this occurs, you must remain where you are until staff give a directive to do otherwise. Failure to do so is considered a Major Disruptive Behavior.

Lockdown: If staff direct residents to “lockdown,” you must immediately return to your bunk and remain there until given further directives by staff. Failure to do so is considered a Major Disruptive Behavior.

Body Searches: NERCC staff can and will conduct pat and unclothed visual body searches on residents.

Inspections and Searches: Inspections are conducted regularly for the purpose of maintaining safety, security, hygiene, housekeeping, fire prevention and emergency preparation. NERCC staff will also conduct searches of resident living areas, work sites and property for the purpose of retrieving contraband and maintaining safety and security.

Drug testing: NERCC residents are required to submit urine and breath samples as directed by staff for the purpose of testing for drugs and/or alcohol. Failure to comply with drug or alcohol testing will result in disciplinary action.

Classification: During the duration of your stay at NERCC, your behavior will be monitored. You may be re-classified at any time based on your behaviors and/or safety and security concerns.

PROGRAM SERVICES

While at NERCC, you will be assigned to a caseworker. You will be assigned to an appropriate group and expected to participate in NERCC programming and activities as directed by your caseworker. NERCC offers self-help groups such as Alcoholics Anonymous (AA), and Narcotics Anonymous (NA). NERCC also offers culture groups such as a Native American Culture Group, an African American Culture Group, and Chaplaincy Groups.

Education and vocational counseling programs are available to all NERCC residents and are required for those who have not completed their high school education or received a GED. Educational goals are developed on an individual basis. See your caseworker for information regarding education program services.

All residents are assigned to a placement assignment prior to leaving the Transition Unit. There is also a list of current placement assignments in the Resident Information Center. Please note that although you will be assigned to a specific crew, you may be required to assist other crews as needed. NERCC reserves the right to assign residents to different crews, depending on classification, discipline issues, and institutional needs.

| EXAMPLES OF PLACEMENT ASSIGNMENTS | | |
|--|---------------|-----------------|
| Meat Processing | Maintenance | Greenhouse Crew |
| Food Service | Cleaning Crew | Treatment |
| School | Laundry | Farm Crew |
| Other Duties as Assigned | Garage | |

If you are assigned to a work crew, your crew leader will explain specific rules and responsibilities, but there are some general expectations that all residents must follow. These include:

Following your crew leader's directives at all times.

Being on time and prepared for Crew Checkout.

Remaining on your work site at all times unless you have the permission of your crew leader to do otherwise.

Asking for help if you don't understand how to complete a task.

Wearing proper clothing and safety gear as required.

MONEY

Debit cards: Residents are issued a vending card after intake. The vending card enables you to purchase items from the vending machines. You may have up to \$30.00 placed onto your debit card from your trust account. Once you transfer funds to your card, you will be unable to transfer it back to your trust account until your release.

Debit cards are the same as money; that is, they cannot be reimbursed if lost, stolen, or damaged.

Visitors of residents may deposit cash or debit/credit funds via kiosks located in the main building front hall (Monday-Friday between 8 a.m. and 4 p.m) and the main lobby of the education building (during designated visitation hours).

Friends and family are also able to deposit funds to a resident account via the internet by logging on to www.expressaccount.com and following the instructions provided.

Other: You may have cash or money orders sent to you through the U.S. Mail; they will be placed in your trust account. No personal checks will be accepted.

You are not allowed to buy, sell, trade, lend, borrow, give away, or use another resident's phone or debit card.

PERSONAL PROPERTY

You are allowed to have specified items in your possession during your stay. The personal property you are allowed to have will be determined by your classification. One you have transitioned to the general population, you will be allowed to have certain items, which are listed below. Your property must be labeled with your name. Lost or stolen property must be reported to security staff immediately.

NERCC is not responsible for lost or stolen property. Any of your personal property left at NERCC after your release will be disposed of after 30 days.

You will be charged for any missing or damaged NERCC clothing, bedding, etc. that is issued to you.

| PERSONAL PROPERTY ALLOWED AT NERCC | |
|---|--|
| 7 Pants (Including shorts, sweatpants, etc) | 1 Jacket |
| 7 pairs of underwear (briefs or boxers) | Eyeglasses or Contacts (as prescribed) |
| 7 pairs of socks | Wedding ring |
| 7 Shirts (no orange) | 1 pair of daily wear shoes (No boots) |
| 1 pair of gym shoes | Letters and photos (Must be mailed) |
| 1 belt (NERCC does not provide) | |

| ADDITIONAL ITEMS ALLOWED IN YOUR POSSESSION | |
|--|---|
| Razor (NERCC issued only) | Pencils (NERCC issued only) |
| AM/FM Radio with headphones (no MP3; no CD/Cassette) | NERCC vending items |
| Clock (NERCC issued only) | Toothbrush (NERCC issued only) |
| Comb (NERCC issued only) | Work boots (NERCC issued only) |
| Shower shoes (NERCC issued only) | NERCC approved religious or treatment items |
| NERCC approved treatment and/or educational books | Phone/debit card (NERCC issued only) |
| NERCC approved medical necessities | NERCC Gloves (outdoor use only) |
| NERCC Hat (outdoor use only) | |

You must label/identify your property with your initials. Unlabelled property will be considered contraband or abandoned/found property. You may not possess any items that are not labeled with your initials.

Property and clothing must be appropriate, and cannot contain words, images, or advertisements. All clothing, including jackets, must be plain and without printing (solid colors only – no orange). Shirts that have a brand emblem smaller than two square inches will be allowed.

All clothing /property must fit into your assigned storage bin except footwear, jacket, and treatment/education books. Any and all other items are considered contraband.

Dirty laundry may remain outside your storage bin in a mesh laundry bag when necessary. Your storage bin, laundry bag, and shoes must be kept underneath your bunk bed.

Religious, culturally significant, and/or treatment items must be approved by a NERCC Supervisor.

You will have one opportunity to have property/clothing brought in, as listed above. Please note that items denoted as “NERCC issued only” may not be brought in.

You are not allowed to buy, sell, trade, lend, borrow, give away, or exchange property with anyone.

If you have insufficient clothing, you will be given NERCC issued clothing.

MEALS

Meals are served in the Dining Hall during the times outlined on the Resident Movement Schedule. Residents must be dressed appropriately in the Dining Hall. This includes shirts with sleeves.

MEDICAL SERVICES

A Registered Nurse is available to residents Monday through Friday 8:00 a.m. to 4:00 p.m. (excluding holidays). To see the nurse, you must sign up. The sign-up sheet will be available at the Upstairs Security Desk from 6:30 – 7:45 a.m.

A medical physician comes to NERCC once per week. A psychiatrist is available periodically. See the nurse to make appointments.

Sick List: If you are unable to work or go to school due to illness, you must sign up to see the nurse as described above. You should specify on the sheet that you are requesting Sick List.

If the nurse places you on the Sick List, you must remain in your room for 24 hours. You may eat your meals in the Dining Room, but you must spend the rest of your time in

your bunkroom. You may not use vending, participate in recreation, use the phone, participate in visiting, or attend any activities (including AA/NA meetings or cultural groups). You may attend your caseworker group, if requested by your caseworker. If you've been placed on Sick List, you must sign up to see the nurse (or security staff on weekends) the next day prior to 7:45 a.m. Your illness will be re-evaluated, and you will either be approved for work/school or be placed on the Sick List again.

Medication Dispensing (Pill Call): If you have medications prescribed to you, you must be at the pill call desk at the time assigned for your medications. All medications must be consumed at the pill call desk in front of staff. Failure to follow pill call protocol will result in a Major Substance Abuse Violation.

See the Resident Movement Schedule for Pill Call times.

Residents may be required to co-pay for certain medical services.

VISITING

While in the Transition Unit, your visiting will be limited to video visiting, and will not be allowed until you have completed your Orientation.

Once you have transitioned to the general population, you will be allowed limited contact visiting.

Visiting Hours are Wednesdays from 6:00 - 8:00 p.m. and on Saturdays and Sundays from 12:45 - 3:45 p.m. Rules are as follows:

1. Visitors are limited to immediate family: parents (includes step-parents), grandparents, brothers and sisters (includes step-brothers and step-sisters), children (includes step-children), grandchildren, and spouse or significant other. Note: You may not change your significant other on your visiting list during your stay at NERCC.
2. A list of eligible visitors will be established with your Transition Caseworker. If you provide false information on the visiting list, your visiting privileges may be restricted and you may face other disciplinary action.
3. Visitors must have a verifiable photo ID. Visitors who appear to be under the influence of drugs or alcohol will not be allowed to visit. Visitors who bring in contraband will be prosecuted to the fullest extent of the law and denied further visits. Visitors are expected to act in an appropriate manner and follow all facility rules; failure to do so will result in a termination of the visit. You are responsible for informing visitors of rules and expectations.
4. If a person is under court supervision (probation, parole, pre-trial release), that person will not be allowed to visit without prior approval of your assigned NERCC Caseworker.

5. If there is a legal order that prohibits contact between you and any person (such as an Order for Protection, Harassment Order, or Probation Condition), that person will not be allowed to visit.
6. Visits shall be a minimum of 20 minutes duration unless the number of persons attempting to visit exceeds the facility's ability to meet this requirement, or your visitor's or your behavior dictates a need to terminate a visit earlier.
7. The visiting area will not be subject to audio monitoring.
8. Physical contact shall be limited to a brief kiss, a hug and/or a handshake upon arrival and departure. You may hold your small children throughout visiting. However, contact visiting may be disallowed if facility security requires it.
9. Visitors and residents are responsible for maintaining appropriate control of their children's behavior. Children must be kept in the parents' immediate area and not allowed to wander. Visits may be ended if children become unruly or adults are inattentive to their children.
10. You are not allowed to receive clothing, property, etc. during visiting.
11. Visits may be terminated at any time and without prior notice if institutional security requires it.
12. You are not allowed to use the bathrooms or the drinking fountain during visiting.
13. You will be pat searched before your visit and strip searched after your visit.
14. Visitors will be given a list of visiting rules to which they must adhere. You may receive a copy of these rules upon request.
15. Visitors are not allowed to bring purses, pagers, cellular telephones, cameras, or any item defined as contraband in the NERCC Resident Handbook into the visiting area at NERCC. This includes, but is not limited to, baby carriers, bottles, blankets, toys, food, beverages, etc.

MAIL

All incoming and outgoing mail is subject to search.

Incoming mail: Mail will be distributed each business day. Mail is inspected for contraband and reviewed by NERCC staff. Legal mail may be opened in your presence to inspect for contraband, but will not be read by staff. You may receive stamps via the mail. Magazines, newspapers and/or packages are not allowed. Letters and envelopes cannot contain stickers, perfume, lipstick, or any other substances. Mail that violates NERCC rules will be returned to the sender.

Reasonable amounts of personal letters, cards, and photos may be kept in your bin. Photos must be appropriate and cannot contain people who are nude, in swimming suits, or in lingerie.

Mailing Address:

Resident's First and Last Name
NERCC
6102 Abrahamson Road
Saginaw, MN 55779

Outgoing mail: Outgoing mail must be unsealed (except mail to attorneys, elected officials and the MN DOC) and placed in the residents' out-going mailbox in the Commons Area. NERCC staff may review all out-going, unsealed mail. Your name and NERCC's address must be written in the return address corner. This mail is collected for delivery at 7:30 a.m. each weekday morning.

All residents receive one free mailing (equal to one postage stamp) on Tuesdays. Indigent residents may receive an additional mailing (equal to one postage stamp) on Thursdays. Indigent residents may also send legal mail free of charge on Thursdays. Stamps may be received via incoming mail. Stamped envelopes are available from the vending machines.

TELEPHONES

You will be allowed a limited phone call upon your intake to notify someone of your admission to the facility.

Incoming phone calls will not be relayed to you unless it is a verifiable emergency or a call from your defense attorney. Your friends/families can leave a short voice message for you by calling 218-729-9200. These messages are not private.

In order to place collect calls, your friends/families will have to set up a prepaid account with the vendor, Reliance Telephone, by calling 800-896-3201 or visiting them online at reliancetelephone.com. You may also request that Reliance Telephone representatives call them directly to set up an account by dialing 9 from a resident phone and following the instructions.

Phone cards may be purchased via the kiosk. Have paper and pencil handy to write down the card number. If you lose your number, you can recover it by viewing your history of purchases on the kiosk.

Collect call rates, long distance rates, and local exchanges are established by the phone vendor. A list of the rates and other information is posted in the resident information center in the commons area.

Contact the vendor directly for any billing or other questions by calling the inmate help line (Dial 9 and follow instructions).

One telephone is designated to be available 24 hours. Residents may not use this phone during regular work hours or outside the designated phone times without written permission from their caseworker.

| WEEKDAY TELEPHONE TIMES |
|--------------------------------|
| 6:00 a.m. to 8:00 a.m. |
| 11:00 a.m. to 12:30 p.m. |
| 3:30 p.m. to 10:00 p.m. |

| WEEKEND AND HOLIDAY TELEPHONE TIMES |
|--|
| 6:00 a.m. to 10:00 p.m. |

All calls, except those numbers designated as attorneys, will be recorded and may be monitored.

Resident Telephone Rules:

- Only one resident per phone will be allowed at any time.
- Residents not making telephone calls must not gather near those making calls.
- The use of another resident’s LID number and/or phone card is not permitted.
- No third party telephone calls are permitted.
- The phones on the upper level are for use only by residents living in that area.
- Repeat dialing is not permitted. If your party does not answer, you must step away from the phones for at least twenty minutes in order for others to use the phone.

When an institution emergency or random count occurs, all resident telephone calls will be terminated immediately. There will be no refunds for early terminations (including fire drills and power outages).

Violation of any of the rules regarding the use of telephones will be cause for disciplinary action and possible revocation or restriction of telephone privileges.

HYGIENE

You are expected to maintain proper hygiene habits. This includes showering daily, brushing teeth daily, exchanging bedding weekly, and washing clothing regularly.

Showers: Showers are available during posted times.

Haircuts: Barber services (with a co-pay) are available monthly. Prior to the barber coming to NERCC, a sign-up sheet will be made available in the Resident Information Center.

Hygiene Products: You will be given essential hygiene items upon intake. Razors are available to all residents, free of charge. To receive a new one, you must bring your old one to the Commons Desk during mail call. Other hygiene items may be purchased from the vending machines. If you are indigent, you may submit a request for the following supplies: toothpaste, toothbrush, deodorant, and comb. Hair/body wash is provided in shower dispensers.

Dress: You must be dressed appropriately at all times. This includes:

- No tank tops in the Dining Room or at visiting.
- Shirts must be worn at all times, except when you are sleeping.
- Shower shoes may be worn only to and from the shower.
- Shoes must be worn at all times.
- Shorts and pants may not sag.

Laundry: NERCC provides laundry services for residents Monday through Friday, excluding holidays. Items to be laundered must be turned in to resident laundry workers at the laundry room door between 7:15 AM and 4:30 PM. You can pick up your clean clothes the next business day between 3:00 and 4:30 PM.

NERCC is not responsible for lost or damaged personal clothing.

Linen Exchange: All residents are required to exchange linen on Wednesday mornings. You will be expected to turn in your sheets and pillow cases by 7:45 a.m. (before the formal count) in the laundry bins outside the laundry room. Blanket exchange will be done once a month and will rotate between bunkrooms. If it is not your designated day to exchange your blanket, you should fold it and place it at the foot of your bed. You can pick up a clean set of sheets at the laundry room window between 9:00 AM and 4:30 PM.

With the exception of Wednesdays, you must keep your bed made when you are not in it. You should have clean sheets back on your bed and have it made by 4:45 PM on Wednesdays.

Living Areas: You are expected to keep your living area neat and clean. Living areas will be inspected daily. You must have reasonable amounts of vending machine items in your bunk, as long as they do not require refrigeration. You may not bring food from the Dining Room into your bunkroom. (This includes crackers, fruit, cookies, etc.)

Cleaning Duties: All residents are expected to keep NERCC clean and complete work charges as directed by staff. All residents are expected to participate in weekend deep cleaning. See the movement schedule for times.

RECREATION

NERCC offers recreation activities such as sports activities, aerobic exercise, arts and crafts, leisure reading, games, and outdoor activities. Your participation in recreational activities is based on your classification and behavior, treatment and program progress, and medical restrictions.

TOBACCO USE

The use or possession of tobacco by residents is prohibited except as required and pre-approved for Native American spiritual practices.

RESIDENT COUNCIL

The Resident Council is an appointed group of NERCC residents who work together to provide help and information to fellow residents. They represent the resident population in meetings with NERCC staff. The council is made up of one representative from each caseworker's group. Resident Council members are expected to model responsible behavior. Caseworkers have the authority to remove resident council members due to behavioral problems.

RELEASE FROM NERCC

On your release date, you will be released in the morning, as the facility schedule allows. If you have money in your account and do not have any debts owed to NERCC, a debit card with your remaining balance will be issued to you.

Prior to your release, your room must be clean and all NERCC clothing must be turned in. You will be charged for any missing NERCC issued clothing. If you have medications, sign up to see the nurse one week prior to your release.

You are responsible for your own transportation upon release.

DISCIPLINE PROCEDURES

NERCC has established rules of conduct for its residents for the purpose of maintaining a safe and orderly environment. Rule Violations are classified as either Minor or Major Violations. If a major incident occurs, you may be reclassified and transferred to a more secure area. The transition team will then re-evaluate your classification.

MAJOR VIOLATIONS

Major One: Physical Assault

Assaultive behavior is defined as an actual or attempted physical assault of another person. Such acts may or may not cause physical injury.

Disciplinary Action: Assaultive behavior will result in a loss of 0 to 20 days of good time and/or re-classification. It may also result in new criminal charges.

Major Two: Harassment

Harassment is defined as statements or behaviors that can be perceived as intimidating or threatening in nature, and any statements or actions that are inflammatory or demeaning and have a malicious intent (such as statements regarding one's race, religion, gender, sexual orientation, offense, or disability.) This includes but is not limited to coercion, sexual harassment, threatening/obscene gestures, and swearing at others.

Remember that any statement may be perceived as harassing, hurtful, and disruptive to a resident's program. What may seem minor to you, may not be to others.

Disciplinary Action: Harassment will result in a loss of 0 to 20 days of good time and/or re-classification.

Major Three: Sexual Contact

Sexual Contact with others is prohibited at NERCC.

Disciplinary Action: Sexual Contact will result in a loss of 0 to 20 days of good time and/or re-classification.

Major Four: Gang Related Behavior

Gang related behavior is defined as language, hand signs, graffiti, clothing, and any behavior that represents, portrays, or glorifies gangs.

Disciplinary Action: Gang Related Behavior will result in a loss of 0 to 10 days of good time and/or re-classification.

Major Five: Substance Abuse or Possession

The possession of, and/or use of intoxicants while at NERCC is strictly prohibited. This includes the use or possession of illegal drugs, synthetic drugs, alcohol, inhalants, and drug paraphernalia. It also includes the misuse of prescription drugs (having drugs or medications on your person, "cheeking" medications, and trading/selling medications), and a positive or refused urinalysis. Drug paraphernalia

includes but is not limited to: smoking pipes, needles, items fashioned for the inhalation/consumption of drugs, and hollowed out/disassembled pens or those containing residue.

Disciplinary Action: Substance Abuse or Possession will result in a loss of 0 to 20 days of good time, confiscation of the prohibited item, and/or re-classification.

Major Six: Possession of Cigarettes, Tobacco, or Rolling Papers

Disciplinary Action: Possession or use of cigarettes, tobacco, or rolling papers will result in a loss of 5 days of good time and confiscation of the prohibited item.

Major Seven: Possession of Contraband

A major contraband includes weapons, items fashioned to be weapons, the possession or use of an item that compromises the safety and security of NERCC, tattooing equipment, lighters, matches, electric razors, cell phones, and electronic devices that can be used to access the internet.

Disciplinary Action: Possession of major contraband will result in a loss of 0 to 20 days of good time, confiscation of the prohibited item, and and/or re-classification.

Major Eight: Being in an Unauthorized Area

Being in a major unauthorized area includes leaving the NERCC building without permission, leaving an assigned program site or authorized area without permission and being in another's living area when it is unoccupied or unwelcome. This includes being on or near a resident's bunk when he is not present and being in a staff office without permission.

Disciplinary Action: Being in an unauthorized area will result in a loss of 0 to 20 days of good time and/or re-classification.

Major Nine: Failure to Participate in Programming

Failure to participate in programming is defined as refusing to participate in groups or programming, being disruptive in programming to the point of being removed, not completing assignments, violating group rules regarding confidentiality, failing to abide by a behavior contract, and refusing to participate in work or school.

Disciplinary Action: Failure to participate in programming will result in a loss of 0 to 10 days of good time and/or re-classification.

Major Ten: Theft

Theft is defined as the taking of or possession of, property of another resident or NERCC without permission of the owner or staff. This includes taking items without permission from crew assignments.

Disciplinary Action: Theft will result in a loss of 0 to 10 days of good time and restitution.

Major Eleven: Damage to Property

Damage to property is defined as any willful destruction of property through direct action.

Disciplinary Action: Damage to property will result in a loss of 0 to 10 days of good time and restitution.

Major Twelve: Disobeying a Staff Directive

This is defined as failure to follow through with staff requests as they relate to compliance with rules and expectations of the program. This includes attempting to stop staff from doing their job or refusing a request from a staff to change a behavior.

Disciplinary Action: Disobeying a staff directive will result in a loss of 0 to 20 days of good time and/or re-classification.

Major Thirteen: Failing to Abide by Minor Rule Violation Sanctions

Minor rule violations will be documented and sanctions may be imposed. Failure to abide by minor rule violation sanctions is a Major.

Disciplinary Action: Failing to abide by minor rule violation sanctions will result in a loss of 0-2 days of good time.

Major Fourteen: Repeated Minor Rule Violations (Three or More of the Same Minor)

Disciplinary Action: This will result in a loss of 0-2 days of good time.

Major Fifteen: Instigating

Instigating is defined as intentionally causing problems or conflict between yourself and/or other residents through verbal or physical means. This includes encouraging a fight with a resident or among residents and inciting/encouraging others to violate NERCC rules.

Disciplinary Action: Instigating will result in a loss of 0 to 10 days of good time and/or re-classification.

Major Sixteen: Violating a Huber Contract

Disciplinary Action: Violating a Huber contract will result in a loss of 0 to 10 days of good time and/or termination of your Huber contract.

Major Seventeen: Gambling

Disciplinary Action: Gambling will result in a loss of 5 days of good time.

Major Eighteen: Disruptive Behavior

A major disruptive behavior is defined as a behavior that disrupts NERCC programming, operations, safety, and security. It includes but is not limited to: an excessive verbal outburst, repeated swearing, inciting a riot, serving as a “lookout” during the commission of a Major Violation, an attempted escape, interfering with a count, failing to abide by Code Red/Blue protocol, failing to “lockdown” when directed, tampering with ID cards, failing to wear your own ID card, and moving bunks without permission. It includes the introduction or attempted introduction of contraband into NERCC.

Disciplinary Action: Major disruptive behavior will result in a loss of 0 to 20 days of good time and/or re-classification.

Major Nineteen: Off Grounds Violation

An off grounds violation includes not staying together with other residents, failing to abide by the expectations of the supervising staff, not staying in the designated area, or meeting non-residents without approval from staff. This applies to group events and individual appointments.

Disciplinary Action: An off grounds violation will result in a loss of 0 to 10 days of good time.

Major Twenty: Possession or Use of Another Resident's Phone/Debit Card

Disciplinary Action: Possession or use of another resident's phone/debit card will result in a loss of 5 days of good time.

Additional Sanctions: In addition to the disciplinary actions noted above, the resident's probation officer will be contacted for all Major Rule Violations and a formal violation of probation may ensue. The following additional sanctions may be imposed if there is a finding of guilt on a Major Rule Violation:

- Restricted Visits (if the violation had to do with visiting or involved contraband).
- 45 days on Phase One.
- A report or assignment related to the violation.
- Extra work assignments.
- Crew reassignment.
- Building restrictions.

Discipline Process: Staff shall serve residents with a Major Disciplinary Offense Report (DOR) within 24 hours of determining there was a violation, unless a Supervisor or Shift Coordinator approves an extension.

You may waive your right to a hearing by checking the appropriate box on the DOR. If you waive your right to a hearing, the matter shall be sent to the Discipline Committee for review and imposition of sanctions. You will not need to meet with the Discipline Committee. The fact that you took responsibility for your actions and waived your hearing will be considered by the Discipline Committee when reviewing your DOR. The Discipline Chair will advise you in writing as to the result of the review.

If you refuse to sign the DOR or do not waive your right to a hearing, an investigator will meet with you to gather the facts and your statement prior to your hearing. You will then appear for a DOR hearing the following Tuesday at 12:30 PM. In the event that you do not waive 24 hour notice to a hearing, and the DOR is served after Monday at 12:30 PM, you shall be informed that your hearing will be on Tuesday at 12:30 PM of the following week.

Pending the hearing, you may be subject to pre-hearing restrictions if doing so is necessary to maintain a safe operating facility environment. These restrictions must be authorized by the on-duty Shift Coordinator.

The DOR shall then be referred to the Discipline Committee, which meets every Tuesday at 12:30 PM. The Discipline Committee consists of the Discipline Chairperson or Designee, case workers, a shift coordinator, and a school staff member. At least three staff must be present at a hearing. No person responsible for issuing the major rule violation will serve on the committee for that resident's hearing.

The Discipline Committee will meet with you to conduct the hearing. The decision shall be based solely on the evidence. The standard for a finding of guilt shall be "preponderance of the evidence."

When the hearing has been concluded, you will be asked to leave the room, so that the committee can convene to render its decision and determine any possible sanctions. The Discipline Committee will then meet with you to advise you of the committee's decision.

Appeal: You have the right to appeal the outcome of your disciplinary hearing. To do so, you must submit a written request to appeal the finding or sanction within seven (7) days of your initial hearing. The appeal shall consist of an administrative review of the DOR and investigation. The review shall be conducted by an Institutional Supervisor who was not a part of the original disciplinary hearing. You shall receive written notice of the outcome of your appeal within seven (7) days.

Review: One of the goals of NERCC is to change criminal thinking and behaviors. We want to recognize when residents have done that; therefore, you may request to have any loss of good time reviewed by the Discipline Committee two weeks prior to your *original* outdate if you have had no major DOR's in the previous 90 days.

This must be done by way of a formal request form and should include the steps you have made to better yourself while at NERCC. If a request has been made that falls within those parameters, the Discipline Committee shall review your previously

imposed loss of good time. Prior to making a decision, the committee will consult with the caseworker, crew leader, school, and designated security team member to assess your progress at NERCC.

Disciplinary actions shall never include the withholding of food, medical care, proper living conditions, or any other sanctions that infringe upon your basic human needs.

Major rule violations that are chargeable criminal offenses (i.e. escapes, assaults, drug law offenses, etc.) may be referred to the courts for immediate action. It is the policy of NERCC to request probation violations and/or new criminal charges to be filed for incidents of drug violations, escapes or assaults. If a resident is found to have violated his probation, NERCC may request execution of the resident's stayed sentence.

MINOR VIOLATIONS

If you break a Minor rule, staff may issue you a Minor DOR. In the case of a Minor DOR, there is no hearing; the staff determines guilt and an appropriate sanction and notifies you by serving you with a copy of the DOR.

You may appeal the Minor DOR to the Shift Coordinator on duty. The sanction(s) shall be imposed while and/or until the Shift Coordinator reviews the DOR. The Shift Coordinator shall review the DOR and may uphold the sanction, alter the sanction, or dismiss the DOR. The decision of the Shift Coordinator is final.

NERCC uses progressive discipline, which means that the consequences may increase for repetitive minor rule violations. You should be advised that if you receive three (3) or more minor DORs for the same rule violation, it may become a major DOR.

Consequences for minor violations are determined by individual NERCC staff, which the resident can appeal. Consequences include:

- Verbal reprimand (documented on tracking sheet and daily log).
- Loss of commissary privileges for up to six (6) days.
- Room restriction for up to twenty-four (24) hours. While on room restriction, you may eat your meals in the Dining Room, but you must spend the rest of your time in your bunkroom. You may not use vending, participate in recreation, use the phone, participate in visiting, or attend any activities (including AA/NA meetings or cultural groups).
- Loss of recreation privileges for up to six (6) days. (Includes television, sports activities, off-grounds activities, and/or any other recreation activities. Loss may specify activities or include all recreation activities.)
- Termination of current visit (for visiting violations).
- Extra work duties.

1. Minor One – General Violations

- 1A. Wearing headgear, work boots, or work gear in the main building, except when actively working in the kitchen, where hats are required.
- 1B. Using phones without permission or authorization.
- 1C. Possessing unauthorized property.
- 1D. Buying, selling, lending, trading, giving away, or exchanging property. This includes art projects unless approved by a cultural group coordinator.
- 1E. Putting feet on the furniture.
- 1F. Exchanging bedding and/or laundry improperly.
- 1G. Littering.
- 1H. Using profanity.
- 1I. Causing minor property damage through careless actions.
- 1J. Making excessive noise.
- 1K. Being in an unauthorized area.
- 1L. Entering living areas other than the resident's own.
- 1M. Giving false information to a staff member.
- 1O. Disobeying posted rules.
- 1P. Physical contact or horseplay.
- 1Q. Wearing clothing inappropriately ("sagging pants," etc.).
- 1R. Leaving property in an unauthorized area.
- 1S. Failing to maintain good personal hygiene.
- 1T. Disobeying restriction status due to sick list, u/a, medical, or caseworker.
- 1U. Failing to respond to intercom paging.
- 1V. Playing Cards or games in unauthorized areas.
- 1W. Cutting in front of others in lines (i.e. meal line, snack line, etc.).
- 1X. Feeding, harassing, or abusing wildlife.
- 1Y. Exercising in unapproved locations.

- 1Z. Possession of an emptied pop/beverage bottle. Bottles may not be re-used or saved.

2. Minor Two – Living Quarters Violations

- 2A. Not being ready for room inspection.
- 2B. Making noise after lights out (10:30 pm).
- 2C. Using showers during unauthorized times.
- 2D. Possession or storage of arts and craft supplies or finished projects in living areas.
- 2E. Possession of pens or markers.
- 2F. Possession of towels and/or washcloths, without staff approval.
- 2G. Pictures/items outside of your bin.
- 2H. Cleanliness violations.

(Examples: dirty window ledges, clothing on bunk or floor, clean clothing not in bin, dirty clothes not in laundry bags, bin not neat and organized, locker tops not kept orderly, shoes/boots not kept under bunk, bunks not made, jacket not on hooks, and floor not clean.)

3. Minor Three – Kitchen/Dining Hall Violations

- 3A. Taking dining hall cups, utensils, etc. outside dining halls.
- 3B. Wearing sleeveless shirts .
- 3C. Not wearing long pants or appropriate shorts.
- 3D. Taking snacks, pop, coffee, etc. into unauthorized areas.
- 3E. Taking extra food or drink without staff permission.
- 3F. Taking coffee or food from kitchen or dining hall.
- 3G. Badgering food servers (requesting extra food, etc.).

4. Minor Four – Work Site/School Violations

- 4A. Wearing radios/headsets while walking to and from work sites.
- 4B. Not being ready to work on time and in a manner specified by the assigned crew leader.

4C. Making phone calls during work hours without caseworker or administrative permission.

4D. Not wearing appropriate clothing as required.

4E. Failure to abide by crew leader's rules and expectations.

5. Minor Five – Commissary Violations

5A. Tampering, shaking or otherwise interfering with vending machines

5B. Being in the vicinity of the dining hall vending machines when vending staff are loading, repairing or attending to the vending machines.

6. Minor Six – Visiting Violations

6A. Leaving the visiting area without permission.

6B. Wearing excessive or inappropriate clothing, hats, or other items.

6C. Visiting unauthorized visitors.

6D. Having physical contact with a visitor(s) during visiting.

7. Minor Seven – Sick List Violations

7A. Using telephones, showers or commissary without staff permission.

7B. Not remaining in the living area when on sick list. (Exceptions include going to see the nurse when paged, accessing the dining hall for meal times, meeting with caseworkers, and abiding by other staff directives.)

8. Minor Eight - Recreational Activities Violations

Physical Recreation Violations:

8A. Not having medical clearance and recreation staff approval.

Carpentry Shop Violations:

8B. Possessing flammable materials in crafts lockers.

8C. Storing food, clothing, or items for others in crafts lockers

8D. Storing tools in crafts lockers overnight.

8E. Failing to put name on crafts locker.

8F. Failing to clean up after self.

8K. Using more than one locker.

8L. Receiving or sending out craft items without permission from staff.

Library Violations:

8M. Ripping magazines.

8N. Taking newspapers out of the library.

8O. Improper use of computers.
