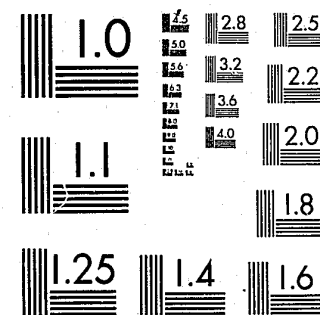


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National Institute of Justice
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Washington, D. C. 20531

DATE FILMED

12/01/81

MANUAL
FOR THE
GUIDANCE OF INMATES



1981
EDITION

NEW HAMPSHIRE STATE PRISON
CONCORD, NEW HAMPSHIRE 03301

76933

U.S. Department of Justice 76933
National Institute of Justice

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~~MANUAL~~

FOR THE
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CONCORD, NEW HAMPSHIRE 03301

NCJRS

APR 8 1981

ACQUISITIONS

MANUAL FOR THE GUIDANCE OF INMATES

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State of New Hampshire

HUGH J. GALLEN, GOVERNOR

STATE PRISON

EVERETT I. PERRIN, JR., WARDEN

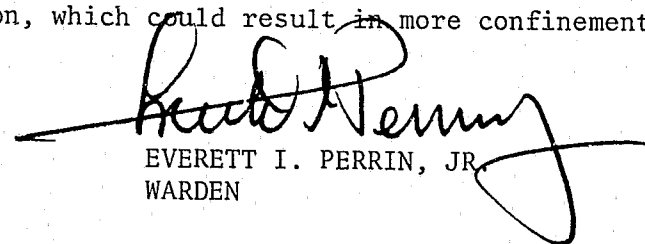
N. E. PISHON, DEPUTY WARDEN
DIRECTORS
Custody H. THORNTON
Treatment W. Burdge
Industries W. JAMIESON
Community Corrections... P. McDONALD

This manual is designed to help you understand what is required during your stay at the New Hampshire State Prison and to explain the programs and activities available to you. The Manual contains information that is essential to your well-being and it should be studied carefully. Your Manual is to be kept in your personal possession and returned when you are released. Questions about anything contained in the Manual should be referred to your counselor or the guards assigned to your living area. You are encouraged to question the staff rather than another inmate. Many times he won't know anymore than you do and the information you receive will be incorrect.

You are expected to maintain a positive attitude and proper conduct while at the New Hampshire State Prison. Appropriate recognition and rewards will come to those who become involved in academic and vocational training and other positive programs while maintaining positive behaviors and attitudes.

Wherever men have to live together as members of a community, certain regulations and restrictions must be adopted and accepted by all in order to assure the well-being of everyone. The rules in this Manual apply to everyone confined in this institution. Your adherence to the rules, display of a proper attitude, and maintenance of a good conduct and work record will be important factors when your sentence is reviewed or you are considered for Minimum Security programs or release on parole. Not every situation and rule can be outlined specifically because no manual would be big enough. Therefore, common-sense and obedience of orders given by the staff are the keys to success.

Inmates are required to obey all directives and rules contained in this Manual. Failure to comply may result in disciplinary proceedings with a loss of good time or further court action, which could result in more confinement time.


EVERETT I. PERRIN, JR.
WARDEN

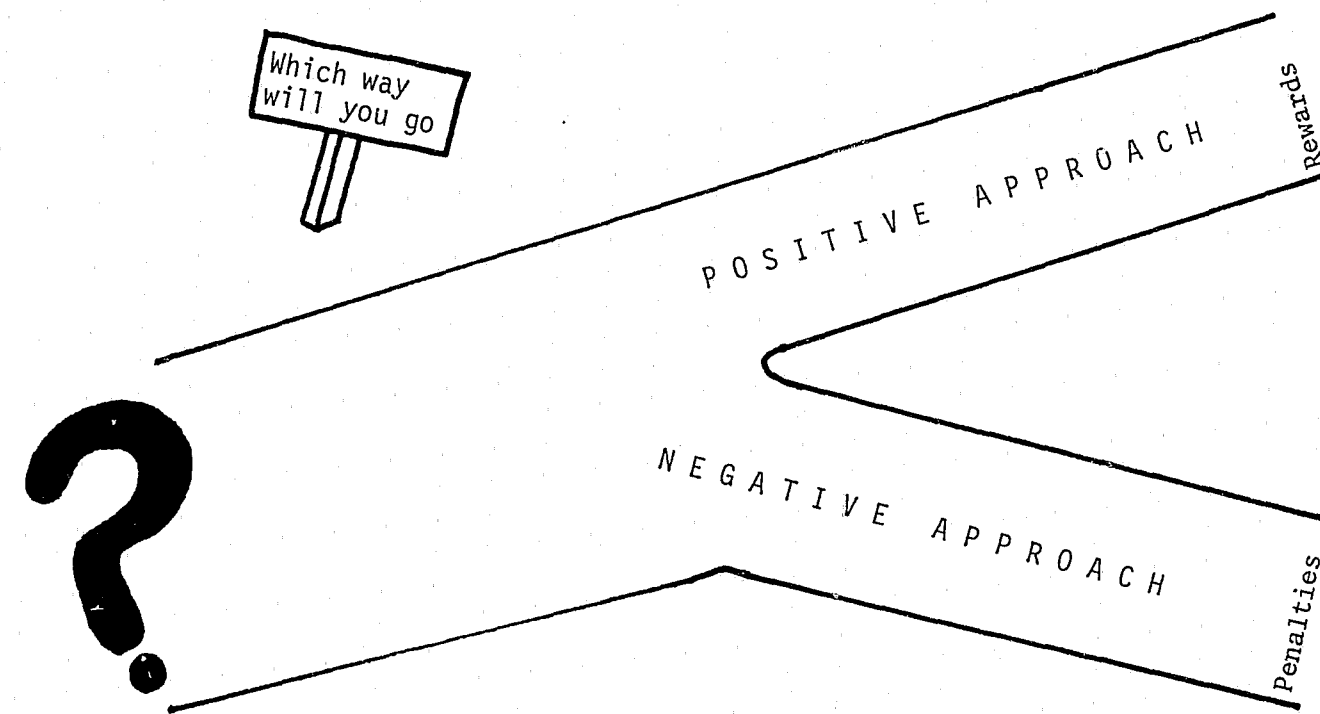
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BOX 14 - CONCORD, NEW HAMPSHIRE 03301
TELEPHONE (603) 224-6554

THE POSITIVE PATH

YOUR ATTITUDE, BEHAVIOR, AND WORK PERFORMANCE

A man who maintains his self-respect, his dignity as a man: who recognizes, understands, and respects the rights of others: who practices common social courtesies in dealing with his fellow human beings: and who attempts to improve his education and vocational skills will be rewarded for following the "positive" path.



On the other hand, the man who fights the establishment and other human beings, whose mind is closed to all who wish to help him, and who becomes disruptive to a treatment-oriented facility, will be penalized further for following the "negative" path.

You can make your time here a constructive or destructive period of your life.
YOU DO HAVE A CHANCE TO CHOOSE!

GUIDE TO AVOIDING PROBLEMS IN CONFINEMENT

The following thoughts are intended to assist you during your confinement period. These are based on the collected experience of those who have gone before you and have from time to time gotten others in trouble.

1. Picking Friends: One of the most important things as a newly arrived inmate is to be careful in picking your friends. In the Institution as is true also "on the streets", you are identified with those with whom you hang around and who are your friends. In confinement it is even more important to select your friends from among the other inmates who are not likely to get into trouble or help you get in trouble. Shortly after you arrive, some inmates may suggest to you that you become their friends and join one group of inmates or another. It is strongly suggested that you avoid making new friendships until you learn a little more about your prospective friends.
2. Getting into Debt: Many inmates experience problems in prison by getting into debt with other inmates and then finding out that there is interest due on the debt and they owe much more than they thought they owed. It is forbidden to borrow from other inmates and it is forbidden to gamble with other inmates. The reason that these are forbidden is because inmates get into debt with other inmates and when they cannot pay off their debts, threats or force may be used to collect the debt. Do not borrow or gamble!
3. Being a "Tough Guy": Oftentimes newly arrived inmates try and establish a reputation as a tough guy and try to impress other prisoners and the staff with a "macho" image as a tough guy. This is not a good idea. "Tough guys" usually find out there are tougher guys nearby and frequently get in trouble. This does not mean that you have to be meek or weak but it does mean that you should avoid trying to establish a reputation as a "tough guy".
4. "Live and Let Live": In the prison environment, there are a wide variety of people who have been convicted of a wide variety of offenses. All these people are different, all have strengths and weaknesses, some are likeable, some are not; the best advice is to "live and let live". Do not make value judgments about other people. Do not get involved in other's problems. Try and "do your own time" and do not get involved in other people's difficulties, problems and beliefs.

5. "Jail House Lawyers": Every confinement facility has some people who are "jail house lawyers" who think they know the law. More often they do not know what the law is but they do know what they think the law should be. The advice they give is often bad. If you have a legal problem, see the Attorney for the Inmates. He is a real lawyer, he will help you, and he knows what the law is.

6. Work and Spot Reports: Your performance on the work sites and in the institution will be evaluated by your supervisor through the use of work and spot reports. The work and spot reports are important to you as they will be reviewed by the Classification and Parole Boards and they have an effect on the amount of good conduct time that you will earn. It is very much to your advantage to try and get good reports instead of bad ones.

7. Proper Use of Time: The judge sentenced you to a certain period of time. You will be provided with a time card from the Classification Office that establishes your minimum parole eligibility date. However much time you have to serve, whether long or short, you should plan to make the time you must spend in prison work for you and make the best use of education, vocational training, counseling, religion, recreation and other opportunities that are here. If you get busy at these things and stay busy the time will not only go more quickly, it will be more useful. If you simply sit around and be unhappy and complain, the time will go more slowly and you will be much more uncomfortable in your confinement.

8. Drugs and Alcohol: In the prison environment, drugs and alcohol will probably be more scarce and more expensive than they are "on the streets". However, no place is absolutely free from drugs and alcohol. Use of either drugs or alcohol (except prescribed drugs) in a prison is considered to be a very serious offense and being caught either holding or using them will result in an extension of your confinement time. Moreover because some inmates when under the influence of drugs and alcohol act wildly and are extremely dangerous, drugs and alcohol use within the institution is looked on with a great deal of severity, not as much from a moral point of view as from a practical point of view to reduce violence and danger within the institution. You may be requested to assist in smuggling contraband and you may be requested to involve a family member or friends in smuggling contraband. You should decline to do either.

9. Relations with Staff: The employees at the New Hampshire State Prison are here to provide security and assistance. They will help you if you ask them and they will report you for disciplinary action if you are observed not following

the rules and regulations. That is their job. They are not here to be mean to you and they do not dislike you. You need not dislike them. They did not send for you and they are not responsible for your being here and so being hostile to them is foolish. When a staff member observes you doing something wrong, he will write a report not because he does not like you or because he is mad, but because it is his job to do so. Getting mad at him over his doing his job is also foolish.

DEFINITION OF TERMS

Certain things in prison have names that are not used in the community. For that reason it will be necessary for you to learn some new words and terms.

HALL	The large building containing the main cellblock is referred to as the "hall" - more specifically, the main floor is referred to as the "hall".
TIER	The levels of cells are referred to as "tiers" - the New Hampshire State Prison main cellblock contains four tiers of cells.
DIVISION	The right or left side of a tier is referred to as a "division" - New Hampshire State Prison has eight divisions in the main cellblock.
CONTROL	The Control Room or Communications Center at the New Hampshire State Prison is frequently referred to simply as "control". It is the large room with the glass front you see outside the cellblock area inside the Administration Building.
COUNT	Counts take place in the prison to insure that all the inmates are present. There are regularly scheduled counts and once in a while unscheduled counts. When a count is conducted it is to every inmate's advantage to cooperate with the officers doing the count to insure that the count is completed speedily so that the prison can return to normal routines.
DISCIPLINARY	When an officer or member of the staff observes you or has reason to believe that you violated an institutional rule he will write a disciplinary report, usually referred to simply as a "disciplinary".
SALLY-PORT	The Sally-port is an area which contains two or more gates which can be opened individually as an added security measure. Usually when the term sally-port is used the person using it is referring to that area directly in front of the Control Center.
YARD	In prison, the term yard refers to that outside area which may be used for exercise and recreation. You will hear the term yard time - yard time means that an inmate is authorized to use the yard and the facilities therefound, such as the weight room, softball field, and the library. New Hampshire State Prison has a north yard and a south yard.
DOMICILE	Domicile means where you live, your cell assignment or dorm assignment or wherever you may be assigned to live.
INDUSTRIES	Industries is another word for Prison Industries which is a portion of the prison which operates shops and produces a product for sale. Inmates work in the Prison Industries shops.

OUT OF PLACE

Because a prison is a controlled environment, every inmate has a certain place to be at all times. If you are not where you are supposed to be then you are out of place (in an unauthorized area). Being out of place constitutes a rule violation.

SPOT REPORT

At the New Hampshire State Prison, members of the staff make input to your record. If you are observed doing something particularly good or particularly bad, you will be given a spot report. When an officer or member of the staff writes such a report, he will request you to sign it. If you sign the report you are not indicating that the report is true, simply that you know that the report was written.

MSU

MSU is the Minimum Security Unit located outside the walls where inmates live and work on the prison grounds but outside the walled enclosure.

SHEA FARM

Shea Farm is another name for the Concord Community Correction Center located on Iron Works Road in the city of Concord where inmates live who are on work release in the Concord area.

CALUMET CLUB

Calumet Club is another name for the Manchester Community Correction Center where inmates live and work on work release in the Manchester area.

INFORMATION AND PROCEDURES

Mission

The mission of the New Hampshire State Prison is to confine those persons who legally have been delivered into the custody of the Warden. The Prison will provide treatment, training, care and supervision aimed toward returning inmates to society as useful and productive citizens with improved attitudes and motivation.

Staff Responsibilities

The Warden is in complete charge of the New Hampshire State Prison. He is responsible to the Governor and Executive Council for all matters pertaining to the day-to-day operation of the Prison and to the Prison Board of Trustees in matters of philosophy and policy of management and operation. He is assisted in the discharge of his duties by the Deputy Warden.

The Director of Custody is responsible for security, housing, discipline, and personal property. He or one of his representatives will answer any questions you may have in these areas.

The Director of Treatment is responsible for classification, education, recreation, medical and dental services, hobbycraft, the Prison library and the maintenance of records. His representatives will assist you in establishing a plan for you to make the most use of your period of confinement.

The Superintendent of Industries is responsible for the management of the Prison's Industrial enterprises which include printing, wood working, metal fabrication, automotive repair and the prison farm.

The Maintenance Engineer is responsible for maintenance and minor construction at the Prison facilities. He manages an extensive on-the-job training program in the various building trades.

The Director of Resource Management is responsible for fiscal affairs and property accounting at the Prison. He manages the fund which accounts for your personal money and supervises the management of the Prison Canteen.

The Inmate Attorney is responsible to assist you in civil matters. He is not your "in-house" defense attorney, but he may be able to give you some advice on your case from time to time.

The Chief Steward is responsible for all aspects of the Food Service operation. He is assisted in this by the Dietician in the preparation of the regular menus and all therapeutic menus for special diets.

The Director of Community Corrections is responsible for the work release program at the New Hampshire State Prison. He supervises the Minimum Security Unit, Concord Community Correction Center and the Manchester Community Correction Center.

Reception and Quarantine

As a new arrival at the New Hampshire State Prison, you will be quartered apart from the general population. This period of quarantine will normally last less than two weeks. During that period, you will be processed, informed of the institutional rules and procedures, and acquainted with the opportunities available for self-improvement. You will be interviewed, tested, and required to complete certain forms so that the staff may receive information which will be used to assist you to design a program for yourself. The same information will be used when you are considered for Minimum Security programs and parole. It is to your best advantage to cooperate to the fullest extent possible and answer each question as completely and honestly as you can.

Medical Procedures

Physical Examination: Shortly after your arrival at the Prison, you will be scheduled for a physical examination. A medical history will be taken and various tests conducted. Be sure that you answer all questions as fully and accurately as you can. Additionally, you should make the Doctor aware of any ailments or physical problems you are aware of. Periodically a routine physical examination will be conducted during the month of your birth if your confinement is more than one year.

Sick Call: Routine sick call is held five days per week, Monday through Friday. Normally, Wednesday is physical examination day so only emergency cases are seen. If you have a condition or problem which you believe warrants medical attention you may sign up for and report to sick call in accordance with the printed schedule. Initial screening of all who request to go to sick call will be done by the nurse on duty. When for some reason you are unable to go to sick call the nurse and/or doctor will come to you.

Medication: All medication dispensed to inmates in the New Hampshire State Prison will be prescribed by a physician licensed in the State of New Hampshire. The doctor will prescribe medication using a time code designating

the time of issue as follows:

"A" for early morning (7:15 a.m. to 7:45 a.m.)

"B" for noontime (11 a.m. to 1:20 p.m.)

"C" for supertime (5:50 p.m. to 6:20 p.m.)

"D" for early evening (8:30 p.m. to 8:50 p.m.)

"E" for midnight (11:45 p.m. to 12:15 a.m.)

Medication will be issued at these times only.

Normally medication administered to inmates will be in liquid form or dissolved in water.

Medical Consultations: When deemed appropriate by the Prison doctor, inmates may be sent to outside medical facilities for consultation or treatment. Whenever such outside medical care is provided, the inmate is expected to display excellent behavior. Argumentative or disruptive behavior will result in a suspension of outside medical visits and disciplinary action.

Consultation with Personal Physician: An inmate at his own expense may arrange for his personal physician to examine him at the New Hampshire State Prison during a time convenient to the prison doctor. NO medication instructions will be accepted from a personal physician without approval from the prison doctor.

Dental Procedures

Dental Examination: Routine dental examinations will be conducted during quarantine and each year thereafter. Corrective work may be scheduled at that time.

Dental Appointments: Any inmate may request a dental appointment by forwarding a completed Inmate Request Slip to the dentist. Normally routine requests are acted upon within a week. If there is an emergency, you may request to see the dentist through routine sick call.

Mental Health Unit

Inmates are introduced to the Mental Health Unit through the interviews conducted by the Mental Health staff as part of the quarantine processing. During this time, you are assigned a Case Manager, a member of the Mental Health staff, who is a resource person who can provide information and assistance regarding matters that involve program development, parole planning and matters of personal concern.

Counseling is another important service the Mental Health staff provides. This covers a wide range of issues such as difficulty with institutional adjustment, emotional problems and family matters. Anything regarding your personal or institutional life are appropriate subjects to bring to the attention of your assigned Case Manager if you wish to do so. The first step is to make out an Inmate Request Slip addressing it to your Case Manager or to the Chief of Mental Health. If you consider your problem to be of a more urgent nature, you can bring it to the attention of your work supervisor or an officer who can then contact the Mental Health Unit.

Everyone experiences periods of stress. How you deal with this feeling decides what happens to you. The mature approach is to work it out by talking and examining the possible causes rather than acting it out and making a bad situation worse. It's up to you to take that first step.

Canteen

An inmate canteen is operated for your use. The profits generated by the Canteen are returned to you in the form of recreational supplies, equipment and programs. A financial statement is posted on the bulletin board in the Canteen each month.

The products sold in the Canteen may be taken to your cell. Models and other hobbycraft kits that may be for sale in the Canteen from time to time may be worked on in your cell without signing up and being approved for hobbycraft.

Money is not exchanged in the Canteen. You may make purchases against the balance shown on your canteen card. You are authorized to transfer an amount not to exceed \$40 from your personal inmate fund account to your Canteen card twice each month on the 15th and 30th.

Goods purchased in the Canteen are for your own use and must not be given, bartered or exchanged with other inmates. Failure to abide by this rule could result in the loss of canteen privileges.

Library

The Prison Library including a Law Library is located in the Industries Building and offers a variety of services including assistance in legal research, a general lending library for fiction and non-fiction books, a listening area for recorded music, a document reproduction service at nominal cost and assistance in a variety of other ways. The Library schedule changes from time to time but in general it is open to you during periods of yard time. The Law Library section may be used by appointment only. Requests should be addressed to the Librarian.

Boards

Classification: The Classification Board will meet to consider your first assignment after the quarantine period. The Board will make recommendations to the Warden concerning your custody grade, job assignment, living unit, and any special programs. You will appear in person before the Board and will be given the opportunity to present matters in your own behalf. You should look upon the Board meeting as a cooperative planning session. The members of the Board will be interested in your plans for the future and the kinds of programs you would like to participate in while you are confined. The Classification Board will review your classification plan and your progress at 90 to 120 day intervals. When it is considered appropriate you may be excused from attending meetings at which your case is being reviewed.

Disciplinary: An inmate who has been written up for the violation of a law or rule may be referred to a Disciplinary Board for a hearing. The Board may be a minor (one person) board or a major (three person) board depending on the seriousness of the alleged offense. Annex A to this manual outlines the Board procedures and the allowable punitive action which may be imposed by a disciplinary board.

Parole: Parole is a form of conditional release granted by the State of New Hampshire through the action of the Parole Board appointed by the Governor. The date on which you become eligible for parole is a date arrived at by computing your minimum sentence and subtracting the applicable statutory good conduct time and the meritorious good conduct time earned by you. Prior to your parole eligibility date you will be interviewed by a member of the Parole Department. At that time if you wish to apply for parole you will be assisted in the preparation of your application to meet the Board.

Other Boards: On occasion boards will be convened for special purposes such as custody review, protective custody review, consideration for transfer to another correctional institution or to a Community Correction Center. If any of these boards meets to consider your case you will be informed of the meeting and the purpose of the board ahead of time.

Good Conduct Time

Statutory: Under the provisions of RSA 651:55, good conduct time is a credit against your minimum and maximum sentence awarded at the rate of 90 days per year. It is prorated for any portion of a year. This means that you receive 7½ days toward your sentence for each month of your minimum sentence. All statutory good conduct time is credited to you when your sentence is computed for the first time. Changes in your sentence as the result of court action will change the amount of time which is awarded therefore each time the court changes or modifies your sentence your confinement time will be recomputed. If you are serving more than one sentence consecutively, the good conduct time on the first sentence only will be computed. If this applies to you the Classification Office will explain the provisions which apply to you on request.

Meritorious: In addition to the 7½ days of good conduct time awarded to you as specified above, the law provides that you may be awarded an additional five (5) days per month by the Warden for exemplary conduct/work records. Such additional good conduct time must be earned. It is not automatically credited to you. Because this credit is at the discretion of the Warden, it may be withheld on a month to month basis without the requirement for a due process disciplinary hearing.

Good conduct time, either statutory or meritorious, earned prior to a parole cannot be lost after that parole has become effective. Conversely, time which was lost through disciplinary action cannot be restored after the parole has become effective.

Questions concerning the awarding of good conduct time or the computation of sentences should be directed to the Classification Office.

Education and Training

Education: Every person who enters New Hampshire State Prison is given the opportunity to improve his academic skills in the prison school. School is the place where you have the opportunity to receive individual tutoring, improve your basic skills in reading, writing or arithmetic, earn a high school diploma or fulfill the requirements for a General Educational Development Certificate (GED).

The Education Handbook will be given to you during your period of

quarantine. It explains the programs and courses available to you. During an orientation session you will be given individual attention and guided into an appropriate educational program. Questions about the educational programs available to you should be addressed to the Head Teacher.

Vocational Training: Inmates who are not housed in the maximum security Annex or in protective custody are eligible to enroll in one of a variety of vocational training programs. These programs will be discussed with you at your hearing before the Classification Board.

Formal vocational training is available in auto mechanics, auto body repair, small engine repair, food service, graphic arts and general building maintenance. Upon completion of the courses of instruction and practical application in a vocational training program the student will receive a certificate from the New Hampshire Department of Education attesting to the level of training and the hours of instruction completed. The time required to complete a full training program is at least six (6) months. Inmates with time remaining to complete the entire course will be given priority in assignment to vocational training programs.

Inmate Pay

Basic pay rates are established from time to time. These daily rates are divided into five categories defined below:

No Pay: Days served in punitive segregation, and inmates who refuse to work.

Not Working: Individuals in this category are paid only in order to allow them to purchase minimum essential health and comfort items from the Canteen. The following statuses are included: administrative segregation/pending investigation (AS/PI individuals will be paid at this rate if they are found guilty of the pending charges; if they are not found guilty, they will be paid at the rate they were earning prior to imposition of AS/PI), maximum custody inmates who cannot work because of security constraints imposed because of their own conduct, inmates who are not able to work because of injury or other disabling circumstances when the cause of the disablement was their own fault and not a legitimate accident.

Minimum Step: All working maximum custody inmates, all other inmates who have been assigned to a job assignment less than 90 days or individuals who have been assigned to a position more than 90 days, but who have not

been recommended by their supervisor to advance to the next step.

Medium Step: Inmates in Medium and Minimum (B or B-I) custody who have been assigned to their duties more than 90 days and who are recommended by their supervisor for advancement to this step.

Top Step: Inmates in Medium and Minimum (B or B-I) custody who have been assigned to their duties more than 180 days and who have been recommended by their supervisor for advancement to this step.

Inmates who change duties at their own request will begin the new assignment at the minimum step unless the Deputy Warden decides reverting them back to minimum would be detrimental to their correctional progression. Inmates who have their duties changed for the convenience of the institution will retain their pay step when they change. Inmates whose duties are changed by the institution based on poor work or poor work habits or misconduct will revert to the minimum step. The Deputy Warden will decide contested cases.

Inmates changing custody grade from Medium to Minimum B will be paid at the medium pay grade unless they are at the top pay grade in which case they will retain the top step.

Inmates advanced to Minimum A custody status on work release at one of the Community Correction Centers will not be paid from Prison funds.

Inmates reduced in custody grade from A to B or Minimum to Medium custody will begin at the minimum pay step in their new custody grade.

When inmates change jobs within the same work area under the same supervisor the supervisor will establish the pay step at which the inmate will begin his new duties except that it cannot be higher than the one he left unless he is otherwise qualified for advancement.

Approved absences from the work site (visits, mental health counseling, court attendance, school classes, etc.) will not be considered in step establishment. Any part of a day worked counts toward the 90 days. These absences can, however, be considered in incentive or responsibility bonus pay described later.

No inmate will be assigned to duties which involve his being paid twice for the same day without approval from the Deputy Warden.

Incentive and responsibility bonuses may be paid to inmates who are discharging highly skilled, technical or difficult jobs. The individual shop system of bonus allocation will be made known to the inmate when he is initially assigned to the shop. Only the most exemplary inmates will receive this bonus. It is not the intention to, for example, give every employee in a given shop the bonus.

Jobs, inmates or positions identified for incentive and responsibility pay will be approved by the Warden or Deputy in advance.

The amount of bonus will be determined by the supervisor within the upper limit established by the Warden and any inmate holding a position approved may be paid any portion or all of the authorized bonus limited by the availability of funds for bonuses made available to the supervisor.

The method of bonus payment will be discussed with inmates by their supervisor prior to the start of work for each individual shop or work site. Different shops may use different systems.

The Superintendent of Prison Industries is authorized to add an additional bonus to inmates or groups of inmates whose performance in surpassing production goals seems to him to warrant special compensation. The amount of this bonus for any individual will not exceed the value of the incentive and responsibility bonus. An individual under this provision could earn twice the maximum bonus. This additional bonus will be paid from funds available to the Superintendent of Industries.

Upon advance approval of the Warden or Deputy Warden, an individual who is selected to work more than six hours in a day or to work on a day off to accomplish a specific task or tasks may be paid overtime at an hourly rate determined by dividing his daily rate by 5. The overtime work must be approved and has no effect on whatever daily bonus the inmate may be paid. This provision is included only to insure that fairness is accomplished and such arrangements will not be approved if there is any reasonable other way to accomplish the same objective.

The Business Manager is the administrator of inmate pay. No one else including Classification and Disciplinary Boards have the authority to adjust inmate pay or to make arrangements that commit a work supervisor to pay a pay level he is unwilling or unable to pay.

The provisions of the pay plan and the time and skill requirements to qualify for the various pay steps will be explained to you during quarantine.

Pay received from the Prison will be deposited to your personal inmate fund account on a monthly basis.

If you have problems with your pay you should first try to resolve the problem with the keeper of your time book in your work area. You may do this in person or by using an Inmate Request Slip.

If you and your work area supervisor cannot resolve your pay problem, you may appeal in writing to the Business Administrator who will investigate your pay complaint and make final resolution.

Chaplain

An initial interview with the Chaplain is arranged for you on your arrival at this institution. You are also permitted and encouraged to consult with the Chaplain regarding religious matters and personal problems. Matters discussed with him are treated as confidential.

The Chaplain is concerned with your moral and spiritual welfare and character development. Your interviews with him should pertain to such matters. The Chaplain is not the proper person to answer questions pertaining to complaints about your trial or the sentence you received, parole, disciplinary boards, or the job you have been assigned. However, on occasion home welfare cases and civilian job questions may be taken up with the Chaplain when circumstances warrant his assistance in getting such matters before the proper authorities.

The Chaplain is prepared to help you better understand your problems. He can give you counsel and assistance in relation to your beliefs, to the world surrounding you, and to yourself. He can be a valuable aid to you in your personal adjustment to confinement and in preparing yourself for that day on which you will be released.

Church services are conducted when the availability of the Chaplains, both Catholic and Protestant, will allow. Schedules are posted and you will be kept informed of the time and the place of such worship services. Instruction classes in religion and other related subjects may be conducted at appropriate times as announced or may be individually scheduled with a specific Chaplain. Inmates assigned to the Maximum Security Annex area will not be allowed to attend church services in the Chapel without the specific approval of the Director of Custody.

The Chaplains also sometimes provide for concerts sponsored by outside participants and religious seminars.

You may request interviews for counseling purposes on an Inmate Request Slip addressed to the Chaplain.

Pre-Release Program

A program is conducted at this institution to assist you in adjusting from institutional life to life in the community, to make individual plans for release and to help you anticipate the problems facing you upon your return to the community.

The Pre-Release program will provide you with a series of scheduled classes, group discussion on subjects which will enable you to better understand current procedures in the community, such as credit buying, contracts, how to get a job, how to avoid arrest, and things that are of vital interest to you. In addition, each Pre-Releasee will receive individual counseling and guidance from various members of the New Hampshire State Prison's staff.

Release clothing may be obtained by you fifteen (15) days prior to your release or upon your transfer to the Community Correction Center. A shirt, coat, shoes, socks, a top coat or overcoat in season, or a warm jacket may be obtained. A shipment of these articles must be addressed to you in care of the Personal Property Officer, Box 14, Concord, New Hampshire 03301. Upon arrival, the articles for your release will be held for you until the day you leave. You will be notified of the arrival of such items by the Property Officer.

In all cases, clothing sent in to you for your release is expected to be in good taste, clean and pressed.

Minimum Security Unit

The Minimum Security Unit is located outside the prison walls in a building south of the Prison proper. The living accommodations are better and the security restraints fewer. Privileges are earned contingent upon the inmate's demonstrated ability to handle the increased personal freedom and added responsibility.

The following eligibility requirements are established for transfer to the Minimum Security Unit:

1. Inmates must be within 18 months of their minimum release date on all sentences, except that inmates who have been convicted of murder, aggravated assault, rape or other sex-related crimes, are not eligible until they are within six months of their minimum parole eligibility date on all sentences.
2. Inmates who have escaped, or attempted escape, as established by reliable records from any correctional facility or mental hospital during the last three years, are not eligible until they are within their last six months of confinement.

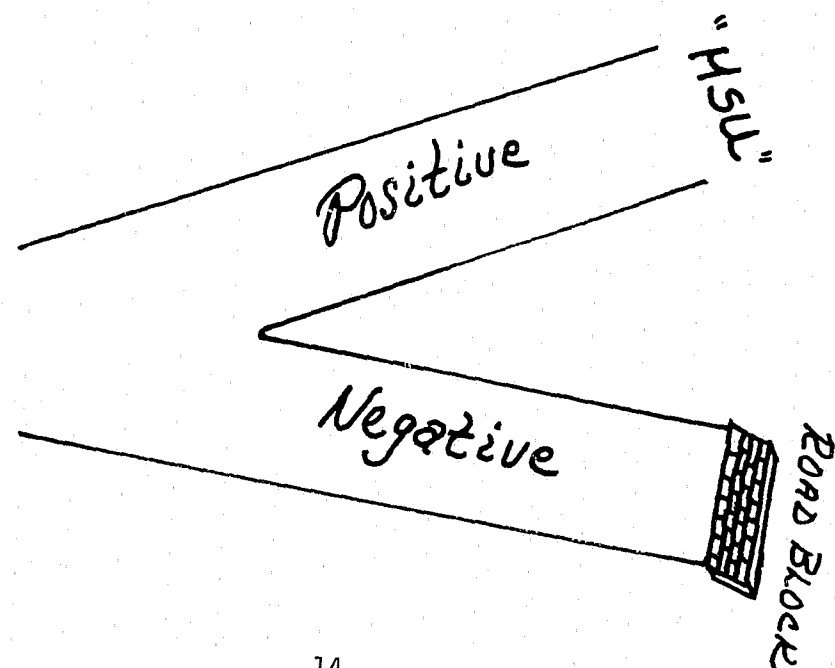
The Classification Board will provide hearings to all inmates who have applied for consideration to transfer to the Minimum Security Unit and who are within two months of their eligibility date established above. During their

deliberation the Board will be guided by the provisions of the New Hampshire State Prison Classification Manual and the following principles:

1. Inmates who have been convicted of murder, aggravated assault, rape, sex-related crimes or escape will not be transferred to the Minimum Security Unit without prior approval of the Board of Trustees.
2. Inmates who are incarcerated as a result of a parole violation will be eligible for transfer when:
 - a. The Parole Board has reviewed the violation and orders parole to be violated;
 - b. Any new charges have been adjudicated or disposed of; and
 - c. The State Parole Officer or his designee does not object to the transfer;
 - d. All other requirements have been met.
3. Inmates incarcerated at the New Hampshire State Prison pursuant to the Interstate Corrections Compact must meet all of the eligibility criteria to be considered, and their sending state must approve of the transfer. Under no circumstances will inmates be eligible for transfer to the Minimum Security Unit at a date earlier than they would be eligible for transfer to a similar unit in their own state.

In the event the Warden wishes to make an exception to this policy for the good of the institution and/or to meet a special correctional objective for an individual inmate, he may request authorization from the Board of Trustees to do so.

The Minimum Security Unit is a step closer to the streets and is a privilege achieved through the positive approach.



Community Correction Centers

The New Hampshire State Prison operates a Community work release (Halfway House) program. You may apply for this program when you are within six (6) months of your minimum parole eligibility date.

The program is designed to assist your transition from prison back to the community. While in the program you will have the opportunity to work in the community, earn money, open a savings account, and help your family. The program gives men increased privileges as they show they can handle responsibility. Some of these privileges include leisure time activities outside the center and authorized absence passes which allow you to spend time with your family.

Community Correction Centers have no bars on the windows, no armed guards and no fences. Restraints are imposed only by your own sense of responsibility. You will be held fully accountable for your actions. You will be assisted by a counselor and a job developer who will help you prepare realistic plans for the future. You will also be referred to local support agencies in the community when it appears to be appropriate in your individual case.

Questions pertaining to the Community Correction Centers and the work release programs should be addressed to the Director of Community Corrections.

Correctional Industries

New Hampshire Correctional Industries employs about 25% of the total inmate population. They offer inmate employees a unique opportunity to display talent and initiative in producing needed products for public use. At the same time the motivated inmate can develop significant job skills which may be of benefit to him when he leaves the institution.

Industries incorporates five major shops producing nine distinct product lines for sales to State and local government under the guidance of trained, professional supervisors, as follows:

- | | |
|--------------------|---|
| <u>Metal Shop:</u> | Vehicle license plates, sign and badge engraving, street signs. |
| <u>Wood Shop:</u> | Wood products manufacture, furniture restoration. |
| <u>Auto Shop:</u> | Automotive mechanical repairs, vehicle body and paint shop. |
| <u>Print Shop:</u> | Offset and letterpress printing. |
| <u>Farm:</u> | Agricultural, beef, and dairy products. |

Metal and Sign Shop: The metal shop employs an average of 20 to 30 inmates. These employees are trained in such metal stamping functions as blanking, mechanical and hydraulic press operating, and die cutting. They also become familiar with reflectorized sheeting application, which is used throughout the sign industry, and with lacquer and paint dipping, baking, roller-coating operation, plastic shrink-wrap techniques, and quality control procedures. Certain inmates are trained in engraving and engraving for sign production. The newly-expanded shop capability will provide additional training in metal cutting, press punching, vacuum frame operation, screen process printing, and an assortment of art layout functions. In sum, the metal shop is an excellent vehicle for teaching production techniques and work ethics while providing important and cost-saving services to the community.

Wood Shop: The shop's approximately 10 inmate employees receive training in all types of woodworking techniques including operation of radial arm saws, bench saws, jointers, planers, sanders, bandsaws, miter saws, and a variety of hand tools. Additionally, skills are acquired in wood products fabrication, painting, lacquering and finishing. In addition to its "customized" work, the wood shop is shifting to more mass-production oriented methods of output and will make and stock for immediate delivery such standard items as various sized bookcases, mail baskets, picnic tables, police cruiser storage boxes, barriers, sawhorses and hardwood plaque and desk nameplate backs.

Automotive Repair and Body Shop: The Prison established an automotive mechanical, auto body, and small engine repair school in 1969; however, long-term inmates benefited little since there was no related shop to which they could be assigned. Thus the new automotive repair facility was established in 1978. This shop offers full auto repair service in lubrication, tire service, front-end alignment, ignition and tune-up work, valve jobs, transmission repairs, drive-train overhaul and complete engine rebuilding. Its body shop component equals the capability of any commercial establishment and can fully restore the frame and body of any vehicle not found to be damaged beyond economic repair.

The auto shop provides an ideal employment situation and future alternative for inmates who have completed the excellent vocational training courses in automotive repair and auto body restoration which are offered by the Prison's Treatment Directorate. Currently the shop employs from 8 to 10 inmates from medium security under the supervision of a professional shop manager, auto repair foreman and a body shop foreman.

Print Shop: The Print Shop is a full service shop with both letterpress and photo-offset printing capabilities. Its some fifteen medium security inmate employees are trained in all phases of printing including camera work, film developing, computerized type-setting, lay-up and stripping techniques, platemaking, press operation, paper cutting and mechanical collating. They also become skilled in such bindery functions as padding, drilling, stapling, folding and plastic binding techniques. Commencing in Fiscal 1981, this shop will print the validation decals (month and year of renewal) for the multi-year vehicle registration plates issued by the New Hampshire Department of Safety. This shop can provide excellent training and experience to anyone interested in a potential career in commercial and business forms printing.

Farm: While offering constructive work for the approximately 15 minimum security inmates assigned, the farm serves as a valuable screening unit for those being considered for community release programs or parole. Furthermore it produces needed meat, milk, and fresh vegetables for State institutional use. Above all, it benefits the inmate farmer by offering him a variety of work under minimum close supervision, thereby enabling him to develop his own initiative and responsibility.

The prison farm is dedicated to provisioning the State's institutions. The farm currently manages approximately 400 acres of pasture, cornland, vegetable gardens, and hayfields. There is a dairy beef herd of 140 head of cattle. Further expansion is planned for both acreage and the cattle herd. Inmate farmers, selected from minimum security personnel, can become proficient in a wide variety of farm tasks: dairy herd management functions include feeding, milking, grooming, calf-raising, and herd health care. Crop care management skills encompass planting, harvesting and tillage techniques (plowing, harrowing and cultivation). Inmate farmers are trained to operate tractors, balers and field harvesters. Farm vegetable gardeners master greenhouse work including seeding and transplanting, garden planting, weed control (hand, chemical and mechanical), potato planting, and harvesting of a wide variety of produce. As a bonus, the farm provides experience in rough carpentry techniques, farm equipment maintenance and mechanical repair, and a variety of related skills such as painting, roofing, window repairs, fence building, root cellar storage and plumbing. Arc and acetylene welding is also accomplished by inmates at the farm.

Assignment to Industry Shops: Inmates may be assigned to work in one of the Prison Industries shops by the Classification Board based upon expressed interest, prior experience, and demonstrated willingness to work and learn. Broadly stated, the goals of Industries are to produce a useful and cost-effective product for the public while:

- developing in each employed inmate a set of attitudes favorable to work and the work situation;
- developing in each employed inmate the minimum qualifications necessary to hold a job (for example, general work and job skills);
- developing in each employed inmate attitudes favorable to a law-abiding life; and
- enhancing the prospects of job placement for inmates when they are about to be released.

Prison Messenger

The Prison Messenger is responsible for four functions as follows:

- institutional business mail;
- institutional errands;
- pick-up and delivery of medical samples for laboratory testing; and
- inmate errands.

As an inmate at New Hampshire State Prison you may use the messenger service to purchase authorized items which are available through stores in the Concord area. Such goods will be purchased for you subject to the following rules:

1. You must have the funds available in your account BEFORE the purchase will be made. Such funds must be free of other obligations such as HBO rental, disciplinary reimbursements, TV rentals, etc.
2. Inmate errands (purchases will be made as time allows, and you should plan on making your request ten days prior to your need date);
3. Many catalog items are not carried in local stores and must be ordered. Do not expect immediate delivery of such items.
4. Threatening, harassing or brow-beating the messenger will not be tolerated and may result in loss of the privilege or in other disciplinary sanctions.

The procedure for requesting downtown orders is as follows:

1. You must submit an Inmate Cash Withdrawal/Deposit Slip to the inmate accounts clerk at least ten (10) days prior to the need date. Be specific - thoroughly describe or otherwise identify the item(s) you wish to purchase.
2. Do not submit slips for items which are not authorized. Authorized items are contained in other sections of this volume.
3. Submit separate slips for unlike items; i.e., greeting cards and paints should be on separate slips.

CATALOG PURCHASING

In an attempt to make the procurement of items both for delivery within the institution and delivery to other locations easier for the inmates, a new system will be tried. The system involves the following:

A collection of mail order catalogs from companies like Sears, Penneys, Tandy's, Speigal or Radio Shack and similar catalog supply houses will be maintained in the hobbycraft building. Inmates desiring to procure items will fill out a copy of the order form from the company involved and will fill out an Inmate Request for Direct Purchase Approval form. The catalog order form and the Direct Purchase Approval form will be forwarded to Custody.

Custody will check the items requested to insure that the items to be delivered to the prison would be permitted under the Manual for Inmates. In the case of items to be delivered elsewhere, Custody shall check to make sure that the recipient is an authorized recipient and not the relative of another inmate. If custody approves the form, it will be forwarded to the Business Office so that the individual inmate account can be debited, the check prepared to pre-pay for the order and then mailed.

If Custody disapproves the form, it will be returned to the inmate with an explanation.

When the Business Office has completed its transaction, it will forward the form to the Mail Room so that the Mail Room will know that the item has been approved when it arrives. Upon arrival of the item it will be delivered to the inmate who will sign the bottom of the form indicating receipt and the form will be filed in the Mail Room files.

This system provides for pre-payment of items and postage, provides for prior approval of items to be delivered to the prison, and provides the inmates a broader selection from which to choose.

Items which arrive in the mail room for which there is not an approval form, will not be accepted.

The Recreation Director, who operates the hobbycraft building, will assist the inmates as appropriate in completing the forms. It may be necessary to xerox the order blanks from the various companies in order to accomplish this.

INMATE REQUEST FOR DIRECT PURCHASE APPROVAL

TO: CUSTODY

FROM: LAST NAME FIRST NAME DIVISION CELL WORK DETAIL

1. Request I be authorized to purchase and have in my possession:
- A. Selling Company: _____
- B. Description of Item: _____
- C. Catalog Number: _____
- D. Page Number: _____
- E. Cost (include mailing): _____
2. I authorize that my account be debited to pay for the item and shipping.

Signature

TO: INMATE

Disapproved for the following reason(s):

☐ Not authorized in manual ☐ Other (below)

Typed Name and Signature

TO: BUSINESS OFFICE (copy to inmate to keep to show approval to have item in his possession):

☐ Approved.

For the Warden

TO: MAILROOM

☐ Item ordered, deliver upon arrival.

Business Office

TO: FILE: Item received ☐

Signature of Inmate

Original: White to be retained for forwarding to Custody, Business, Mailroom and file
Copy #2: Pink for forwarding to Custody - Custody returns to Inmate
Copy #3: Green to be retained by inmate

Warrants and Detainers

The New Hampshire State Prison is responsible for processing warrants and detainers lodged against inmates who are sentenced to the custody of the Warden of the New Hampshire State Prison. When a warrant or detainer is lodged against an inmate, three copies of the warrant are made by the Classification Office, one copy is sent to the inmate along with the Prison's notification of warrants or detainers form. The inmate is requested to sign the notification of warrants or detainers form. The inmate keeps his copy of the detainer or warrant and returns the signed notification of detainers or warrant form to the Classification Office. The other copy of the warrant or detainer is filed, along with the returned signed inmate notification of warrant or detainer form, in the inmate's record. The original warrant or detainer is filed in the inmate's mittimus folder. The Classification Office annotates the inmate's picture card and notifies the New Hampshire Parole Board that a warrant or detainer has been lodged against an inmate, by sending them a copy.

This system enables the institution to properly lodge warrants and detainers against the individuals to prevent release without disposition of the detainers. It further provides timely notice to the inmate so that he can take appropriate legal action to dispose of the warrant or detainer under the speedy trial agreement or by other means. If an inmate requests a speedy trial and no action is taken by the sending state within 180 days of receiving the request, the warrant or detainer will be returned to the sending state. The warrant will be removed from the picture card and a copy of the letter returning the warrant will be sent to Parole, and a copy will be placed in the inmate's file.

Warrants or detainers are not, by themselves, bars to participation in institutional programs such as the Minimum Security Unit program, but the existence and content of additional pending charges or allegations should be considered in determining a proper level of custody classification and in programming inmates for Minimum Security status.

Inmate Complaints and Grievances

Inmate complaints, grievances, and requests are forwarded to staff members using the inmate request slip provided for this purpose. Experience has shown this method to be preferable to establishing inmate councils or committees or having an institutional ombudsman. The general policy provides that each inmate

is his own best advocate and that each inmate may on his own volition write to any member of the staff requesting information, action or alleging a grievance against the staff or shortcomings of the staff. Such request slips are initially forwarded to the individual indicated on the form. If the inmate has not addressed the form to the proper office or individual to correct the problem, they may be readdressed to the correct activity to deal with the problem.

All staff activities are required to provide the inmate with a response within five working days upon receipt of the request slip. If the nature of the request is such that more than five days are needed before an answer can be provided, then a short note will be sent to the inmate acknowledging receipt of his request and telling him when a reply can be expected.

If the answer received is not reasonable in the view of the inmate involved an appeal for review can be sent to the Warden. If the response from the Warden is still considered unsatisfactory, a further appeal can be made to the Board of Trustees whose answer is final.

Gate Money

RSA 622:16 provides that the Warden may furnish gate money of not more than \$100 to released inmates.

In order to qualify for \$100, an inmate must have served a period of time at the New Hampshire State Prison in excess of nine months, or 270 days. The following formula is established:

- A. Less than 90 days at the N.H. State Prison: no gate money.
- B. 90 to 179 days at the N.H. State Prison: \$50 gate money.
- C. 180 to 270 days at the N.H. State Prison: \$75 gate money.
- D. More than 270 days at the N.H. State Prison: \$100 gate money.

Individuals can receive gate money only if they are departing to be set at liberty. Prisoners released from the New Hampshire State Prison to begin serving a period of confinement in another facility (county, city, state or federal) are not authorized gate money.

Only prisoners sentenced to New Hampshire State Prison by New Hampshire courts are eligible for gate money.

New Hampshire prisoners meeting the time requirements described above who are released to be set at liberty will be authorized the gate money whether they are released under parole supervision, probation supervision or no supervision.

Individuals released through the halfway house programs will not be eligible for gate money. Gate money will not be provided to individuals whose record at the New Hampshire State Prison indicates that they have substantial funds available to them.

Prisoners serving New Hampshire sentences in other facilities than New Hampshire State Prison and who meet the above requirements may be awarded gate money.

Gate money may be withheld by the Warden or issued by the Warden as an exception to this policy for good and sufficient reason.

Tours of the Prison

Tours of the New Hampshire State Prison are conducted frequently. It is not the intent that inmates be put on public display but to be successful and to operate a humane prison with viable programs we need public support. These tours are designed to depict the various programs and activities available and to point out the ongoing requirements for funding and support. In order for new programs to be started and new equipment to be obtained it is necessary to inform the public of what is needed and what goals we hope to achieve. Changes in your situation are controlled to a great extent by the public's acceptance of the needs and goals of the prison.

During tours you should be polite, answer questions asked of you, and avoid loud boisterous talking or laughing in the vicinity of the tour. Try not to stare at the members of the tour.

General Information

If you have any questions concerning your actions or any prison program which is not covered in this Manual, you should seek clarification from the officer in charge of your area. If questions still persist you should address an Inmate Request Slip to the person or agency responsible for the subject matter of the questions. When you cannot identify the person or agency address your question or request to the Deputy Warden.

RULES

Orders

Obey promptly and fully all oral or written orders or instructions given to you by members of the prison staff. An order is defined as any written or oral instruction or directive given to you by a member of the prison staff acting in his or her official capacity. If you believe an order is wrong or improper, appeal it to the higher authority. DO NOT ARGUE with the staff member who gave you the order. If orders from two or more sources conflict - obey the last order issued. If an order given by a correctional officer conflicts with one given by "brass" (lieutenant or higher), obey the order given by the "brass". If, after you have obeyed an order, you feel you have good reason to complain, submit an Inmate Request Slip to the Deputy Warden or the Warden. REMEMBER--Obey first then complain!

Rules of Conduct

The general rule of conduct at New Hampshire State Prison is common sense and reason. Each specific rule has a sound reason for its existence. Inmates are confined to ensure their safe custody until they are released by proper authority. During the period of confinement the Prison staff will assist inmates in self-improvement and adjustment to acceptable behavior.

Punishable Conduct

While confined at the New Hampshire State Prison, you are subject to relevant and applicable federal and state laws and institutional rules. Violation of federal or state laws may subject you to prosecution in a federal or state court. You may also be subject to disciplinary action for violation of the rules established by this institution and contained in this manual.

You will have access to copies of federal and state laws in the Law Library. Some of the rules contained in the federal and state statutes and the rules of this institution are listed below.

Typical offenses, but not all, under the federal and state laws include assault, theft, sodomy, rape, murder, arson, riot, perjury, robbery and extortion.

Any inmate who attempts to escape will be fired upon. Apprehension is sure, swift and will result in additional confinement and the automatic loss of earned good conduct time and meritorious good conduct time.

The kind of actions for which you may be punished are explained below. Acts which violate state laws will be referred to the State Police for investigation and possible prosecution in the courts.

Contraband: Anything that has not been specifically permitted by proper authority to be in your possession or cell or living area is contraband and, therefore, prohibited. Any item not specifically authorized found in your possession while outside your living area will be considered contraband. In the following pages, you will find listed the items you may have in your living area. All additional items must be authorized in writing and properly registered with the Property Officer.

Out-of-Place: If you are not where you are supposed to be, you are out of place. Your location and movements are regulated and controlled by your work supervisor, the guard or person in charge of your living area and the Control Center. When you have been authorized to go someplace go directly there, and return promptly if appropriate.

Trafficking: Passing, lending, buying or selling or trading of any item within the institution is prohibited. Exception to this rule is made in the case of authorized use of tools on your job or cleaning equipment in your living area. You may not accept tips, gifts or gratuities except when specifically authorized by the Warden. Inmates may not sell nor give any item to another inmate except when specifically authorized in writing by proper authority.

Staff Harassment: Approaching or calling after members of the staff during social events or in the shops, living areas, control room sally port or outside area for the purpose of airing complaints pertaining to job, custody, living area or the results of disciplinary boards is prohibited. If you have a problem submit an Inmate Request Slip stating your problem. This does not mean that you may not speak to the Warden or others who may come to the shops, dining room or living areas for the purpose of inspection or evaluation.

Lock Tampering: Tampering with locking devices or other mechanical or electrical equipment is prohibited.

Damaging Property: Defacing, damaging or destroying property belonging to the State of New Hampshire or to a private individual is prohibited. This extends to the paint and furnishings in your living area. The loss of property issued to you through your own carelessness will result

in disciplinary action. You will be required to pay for property or equipment you destroy, damage or lose.

Injury: If you intentionally inflict injuries on yourself or others you will be required to pay back to the State the cost of medical treatment for the injuries. Treatment includes sutures, x-rays, casts, emergency room and physician fees, splints and doctor's office follow-up care bills. These charges shall be deducted from your inmate account.

Self-inflicted wounds shall include lacerations ("cut ups"), hitting walls or pipes, kicking walls, ingesting foreign objects (razor blades), or illegal substances (contraband), yet not limited to the above.

Records of such shall be incorporated from the infirmary with a list of treatment rendered, and then after a decision has been reached of self infliction, a copy shall be forwarded to the Business Office and Director of Treatment. The bill shall then go to the inmate accounts office for payment of services.

Disciplinary Rules Punishable Acts

Commission of any of the following prohibited acts will result in disciplinary action. These acts have been numbered for reference purposes. The order of listing is not an indication of the seriousness of the act.

A specific incident may warrant a major hearing, a minor hearing or trial in court or both a hearing and a trial. The Director of Custody or his designee will determine what action is appropriate based on the offense and the offender.

Violations Against Persons

1. Causing the death of any person.
2. Causing bodily injury to any person.
3. Striking any person with one's hands, feet or with any object.
4. Touching a staff member without his permission.
5. Throwing or propelling any object or substance at another person.
6. Threatening any person with harm, either to his person or property.
7. Fighting, sparring, wrestling, horseplay or any physical encounter which could cause bodily injury, except as part of an approved athletic event.
8. Engaging in any sexual contact with another.
9. Sexually assaulting any person.
10. Requesting, demanding, threatening or in any way inducing another person to engage in any sexual activity.

11. Indecent and unnecessary exposure of the genital organs.
12. Use of abusive, profane or obscene language or gestures.
13. Use of provoking words or gestures which might result in violence.
14. Insubordination to a staff member. Insubordination is defined as cursing at, showing disrespect for, or arguing in a hostile manner with a staff member.
15. Offering or giving personal service, money or anything of value to a staff member except as part of a previously approved activity.
16. Offering or giving personal service, money or anything of value to another inmate, his family or friends or accepting anything of value from another inmate, members of his family or friends without specific authorization from the Director of Custody or his designee. This applies to exchanges between inmates' families and/or friends when the ultimate beneficiary is an inmate in the custody of the New Hampshire State Prison.
17. Extortion; blackmail; protection; requesting, demanding or receiving any personal service, money, or anything of value under threat of informing in exchange for protection, or in exchange for any other service or consideration not specifically authorized by the Warden, the Director of Custody or their designees.
18. Individually, or in participation with others, taking or holding any person as a hostage or in any way restraining, holding, or confining any person against his will.
19. Interfering with or preventing any staff member from carrying out his orders, duties or assignments.

Violations Pertaining to the Security and Orderly Operation of the Institution

20. Participating in or encouraging others to participate in any meeting or gathering which is not specifically authorized by an institutional staff member.
21. Participating in, or encouraging others to participate in, any group demonstration, disturbance, riot, strike, work stoppage or work slow down which could disrupt the ordinary routine of the institution.
22. Escaping from official custody.
23. Planning an escape.
24. Possession, manufacture, or introduction into the institution of any implement or object which could facilitate an escape.
25. Possession, manufacture, or introduction into the institution of any weapon or object which could be used as a weapon.
26. Possession, manufacture, or introduction into the institution of any flammable, poisonous, or explosive material not specifically authorized for the individual by the Director of Custody or his designee.
27. Possession, manufacture, introduction into the institution or use of any drug, drug paraphernalia, alcoholic beverage, or intoxicant not prescribed for the individual by the medical staff as reflected in the individual's medical record.

28. Being under the influence of alcohol, drugs, or any intoxicant not prescribed for the individual by the medical staff (any indication of the consumption of alcohol, drugs or other intoxicants; for example, staggering or slurred speech is sufficient to meet the requirements of this offense).
29. Possession or use of prescribed medication contrary to the instructions of authorized medical personnel.
30. Refusal or substantial delay to furnish a urine specimen upon demand.
31. Failing to stand count or interfering with the taking of a count.
32. Wearing any mask, wig, disguise or other alteration of one's normal physical appearance which could make ready identification of the individual difficult.
33. Possession of material to construct a mask, wig, disguise or similar item.
34. Arson, setting a fire, or adding fuel to a fire.
35. Unexcused absence from work or place of assignment (examples: absence from a class or medical appointment).
36. Malingering, feigning an illness or any use of deceit to avoid work, school or other assignment or to procure medication or medical assistance.
37. Being in an unauthorized area.
38. Failing to obey an order of any staff member immediately.
39. Failing to obey any written rule, posted notice or procedure of the institution.
40. Failing to perform work or other assignment as instructed by a staff member.
41. Use of equipment or machines without proper authorization or contrary to instructions or posted regulations such as those regarding safety hazards.
42. Preventing, or interfering with the search of an inmate, his cell or his property by a staff member.
43. Conduct which disrupts or interferes with the security or orderly operation of the institution.

Violations Pertaining to Possession, Manufacture or Introduction of Contraband

44. Possession of anything not issued by appropriate authority or authorized in writing or in the inmate manual.
45. Possession of any form of money, securities, negotiable papers, checks, official documents (other than papers or documents relative to judicial or administrative proceedings) or articles of identification unless expressly authorized by the Warden, the Director of Custody or their designee.
46. Possession of jewels and/or precious metals not specifically authorized by the Director of Custody or his designee.
47. Possession in one's cell or sleeping area of excessive amounts of goods or materials to a degree that the area presents a cluttered untidy appearance, restricts or interferes with free movement of persons, creates a fire or safety hazard, or interferes with officers' visual observation of the cell or sleeping area.
48. Possession of any item of officers' uniform, staff clothing or staff identification, including badges, insignia, buttons, name tags or items of personal identification.

49. Possession of unauthorized or wrongfully altered clothing.

Violations Pertaining to Property and Involving Fraud

50. Possession of property belonging to another person.
51. Possession of state property in amounts in excess of authorized allowances.
52. Loaning of property or anything of value.
53. Theft by unauthorized taking, by the use of threats, by force, or by deception of any item belonging to another.
54. Altering, damaging or destroying State property or property belonging to another person.
55. Throwing or propelling an object in a manner which might result in property damage.
56. Lying, or providing false or misleading information to a staff member or to other persons of authority such as Federal officials and State officials.
57. Counterfeiting, manufacturing, reproduction, forgery, or possession of any official paper, document, money, negotiable paper or articles of identification without specific permission of a staff member.
58. Failure to properly keep and safeguard state property issued to you.

Violations Pertaining to Safety and Sanitation

59. Failure to follow safety or sanitation regulations, including those relating to living spaces, work areas and personal hygiene.
60. Smoking where smoking is prohibited.
61. Reckless, negligent or careless operation of any tool, machinery, equipment or vehicle.
62. Use, handling of or tampering with any piece of safety equipment or any safety device without prior permission of a staff member, except in an emergency when no staff person is present to operate the equipment.
63. Altering, damaging or destroying any part of the electrical system, plumbing, communications systems or other institutional utilities.
64. Tattooing, self-mutilation, or self-injury.

Violations Pertaining to Policy and Procedure

65. Gambling of any kind, including betting on any game of chance and preparing or conducting any gambling pool.
66. Possession, manufacture or introduction into the institution of gambling paraphernalia or gambling records such as score sheets and debt lists.
67. Violation of any New Hampshire or United States law or regulation.
68. Unauthorized use of a telephone or misuse of a telephone.
69. Violation of institutional mail regulations as defined in the inmate manual.
70. Correspondence or conduct with a visitor in violation of institutional regulations.
71. Failing to comply with special notices posted in appropriate locations such as bulletin boards in domicile and work areas.

72. Aiding, abetting, conspiring, or being an accessory before or after the fact of any violation planned, intended or committed is forbidden and shall be considered the same as the commission of the offense itself.

Personal Hygiene and Appearance

You are required to maintain a clean and presentable appearance at all times.

You are required to shave daily unless excused by the Medical Doctor. If you have received a medical excuse from shaving, you must keep the length of your beard trimmed to 1/8 inch at all times. Your medical excuse must be kept on your person at all times you are outside your living area. Medical excuses from shaving should be reported to your work supervisor and the person in charge of your living area immediately.

Haircuts, mustaches and sideburns are a personal matter, but are expected to conform to good taste and safety requirements. Hair long enough to create a safety or health hazard, in the opinion of the work supervisor, will require the wearing of a hairnet or transfer to another job or work area.

Mustache length will not go below the corners of the upper lip.

Sideburn length will not be below the ear lobe.

Clothing prescribed for the work or activity engaged in will be worn properly. You are expected to maintain your clothing in a clean, presentable manner. Excessively worn or torn clothing is not authorized. Clothing patched with material or contrasting color is prohibited.

I. D. Badges

All inmates will be issued a picture identification badge. Identification badges are considered a required part of inmate clothing and must be worn on the outside garment at all times except when in bed, when showering or going to and from the shower point, when engaged in heavy contact type recreational activities, when wearing authorized athletic uniforms or when a patient in the hospital. The identification badge will normally be worn on the left breast pocket. When tee shirts, sweat shirts and other garments without pockets are worn the badge will be worn clipped to the garment in the normal location of the pocket. When no shirt is worn the badge will be clipped on the trouser waistband halfway between the fly and the left hip. Figures 1, 2, and 3 illustrate the proper wearing of the badge. Identification badges will not be

switched, defaced, altered or tampered with in any manner. If your identification badge is lost or damaged, report it to the work supervisor, the person in charge of your living area or the Control Center as soon as you become aware that the badge is lost or damaged.

Until you are issued a permanent badge, or during the time your badge is lost or being repaired, a temporary badge will be issued and will be worn in the same manner as a permanent identification badge. If you lose or damage your identification badge through your own fault or carelessness, you will be required to pay for its replacement.

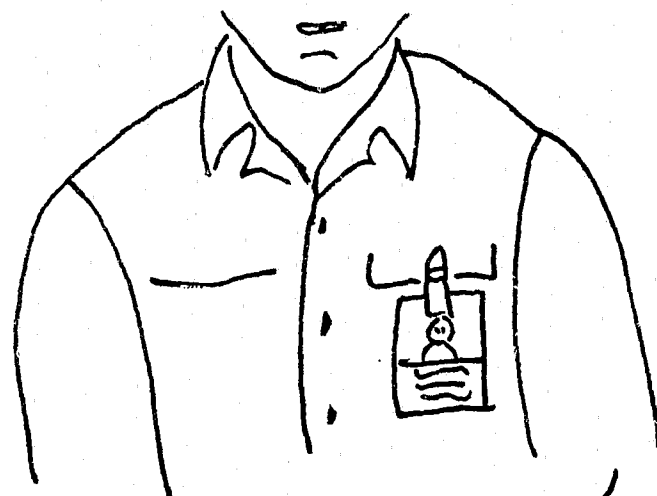


FIGURE 1

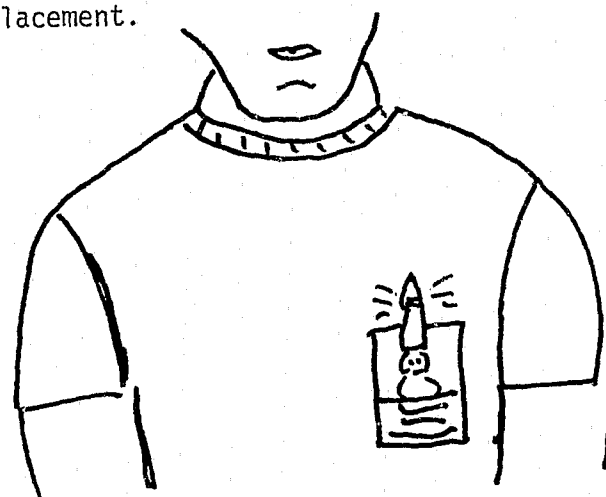


FIGURE 2

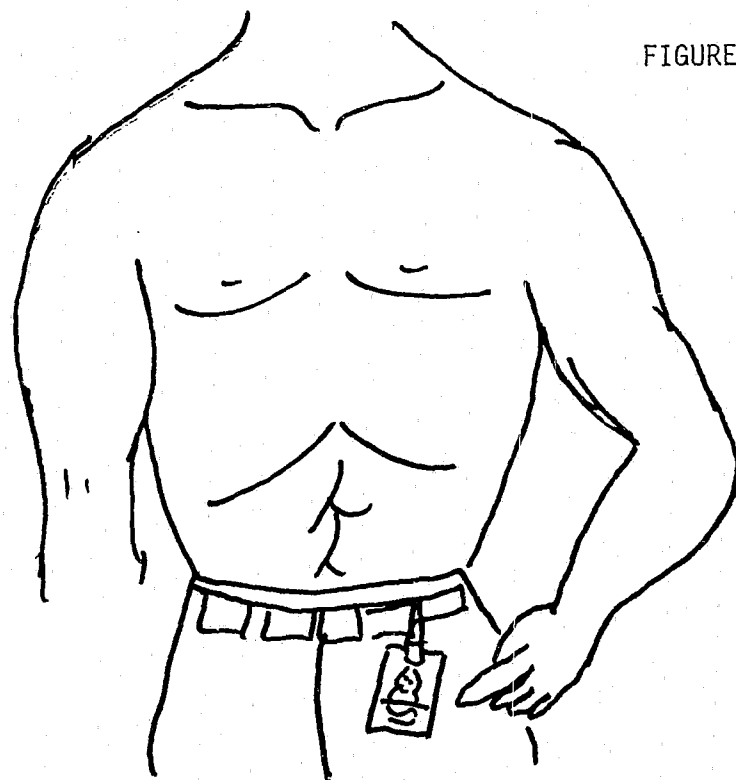


FIGURE 3

Clothing and Equipment

While in quarantine, you are issued a complete initial issue of clothing and equipment. You are responsible for the care of all items issued to you. Do not alter, trade, damage or dispose of the things issued to you in any way for any reason. When an item becomes worn or damaged, report it to the person in charge of your living area, and turn it in or exchange it when told to do so. Emergency exchanges are based on need and will be held to a minimum.

When you move from one living area to another you will usually take personal clothing and equipment with you. Permanent fixtures and equipment will not be moved. You will be required to pay for items damaged or lost through your negligence.

The New Hampshire State Prison supply and/or laundry room is the only place for the exchange or salvage of poorly fitting or worn clothing or footwear. Winter clothing will be turned into the supply room on the date announced and issued when necessary. Arrangements may be made to store individually owned cold weather clothing. If jackets and/or gloves are required for work during the summer months, they will be kept on the job site. Shoes in need of repair should be turned in as instructed by the person in charge of your living area.

Living Areas

Normally medium custody inmates will live in the main cell block. Maximum custody and inmates in special categories, such as punitive segregation, administrative segregation, etc., are housed in the Annex. Minimum custody inmates live outside the prison walls at the Minimum Security Unit or the Community Correction Centers.

Keep your cell or living area neat and clean at all times. The hanging of anything, which blocks the view of the cell interior from the tier walkway, is prohibited. DO NOT SWEEP OR THROW ANYTHING FROM THE TIERS. Place all trash and refuse in the proper containers. The State Fire Marshal has expressed grave concern about the heavy load of flammable material in the cells. For your own safety, it is required that you do not accumulate papers and trash in your cell. Such materials will be carried out daily.

Your cell or living area is subject to search at any time by any guard in the performance of his duty. Authorized property may be searched for concealed contraband. All items of a suspicious nature, or for which a proof

or purchase or an authorization for retention cannot be produced, may be confiscated for evaluation or use as evidence if appropriate. You need not be present for your cell or area to be searched. You are responsible for all items found within your cell or personal area, whether or not you own them. Don't keep unauthorized items for others.

Personal Clothing

Personal civilian clothing is authorized with the following conditions and restrictions:

1. Clothing will not be of the same color as the correctional officers' uniforms.
2. Personal clothing items may not be bartered, traded, loaned or given to any other inmate except on release from the prison and then only with permission of the Warden.
3. All new personal clothing will be marked with the inmate's name prior to delivery to him.
4. All civilian clothing must be of a single color (trim piping on shirts, warm up suits, etc., are acceptable).
5. All civilian clothing must be clean and maintained in a good state of repair.
6. Excessively worn or frayed clothing or clothing patched, trimmed or decorated with material of contrasting color will not be allowed.
7. Embroidery, designs, painting or other decorations on civilian clothing is not authorized.

The following items of personal clothing in the quantities listed are authorized:

- 1 dungaree coat (lined or unlined)
- 2 dungaree trousers
- 2 dungaree shirts
- 2 gym shorts (cut off prison issue trousers are not authorized)
- 3 sweat shirts or warm up tops
- 3 sweat pants or warm up trousers
- 2 pairs sneakers
- 1 pair dress shoes (no platform heels or soles)
- 1 pair boots (no platforms - not higher than six inches measured from the base of the heel, laced, rubber or crepe sole and heel, no steel toes)
- 1 pair slippers or rubber shower sandals
- 1 pair of dress trousers
- 1 dress shirt

2 Sweaters (pullover or cardigan style, one color only)

2 caps (stocking or baseball type, one color only, advertising logo is authorized). Hats of other types are not authorized.

2 pair gloves or mitts

Reasonable quantities, not to exceed ten (10) of handkerchiefs, socks, underwear and athletic accessories such as jocks, wrist bands, head bands, etc., non-allergenic blankets may be authorized when approved by the Medical Doctor and the Warden.

All other items of personal clothing must be specifically approved in writing by the Warden, Deputy Warden or Director of Custody.

In addition to the personal clothing listed above, you may have the following articles in your cell or living area:

- 10 razor blades
- 1 shoe brush
- 2 decks playing cards
- 1 hair brush
- 2 containers deodorant
- 2 containers hair conditioner
- 2 containers shaving cream
- 2 containers after shave lotion
- 3 bars soap
- 2 containers toothpaste/powder
- Not more than \$5 worth of postage stamps
- 1 ash tray
- 1 wedding band (only if married)
- writing materials
- 1 fingernail clipper
- 1 comb
- 1 denture brush
- 1 denture cup
- 2 containers denture cream
- 2 containers denture powder
- 2 containers dermassage or other skin lotion
- 2 containers shampoo
- 2 toothbrushes
- 2 wash cloths
- 4 towels
- 2 pair eyeglasses
- 1 pair sunglasses

Food items and models purchased at the Prison Canteen
 Photographs or pictures
 Personal letters
 Approved hobbycraft tools and materials
 1 complete issue of prison clothing and equipment
 Authorized and registered radio, tape player, television
 Reading material
 Legal Papers
 Authorized personal clothing
 1 rug, not larger than 3' by 6'
 Authorized and registered musical instruments
 Other material or items which may be approved by the Warden
 55 cigars
 3 cartons cigarettes

The following items are authorized to be in your possession (carried on your person) while outside your living area:

1 wedding band (if married)
 1 pocket comb
 1 pair glasses (case optional)
 1 handkerchief
 1 pack of cigarettes (an additional opened pack is also authorized)
 2 cigars
 2 pipes with smoking tobacco
 1 watch
 1 nail clipper
 1 religious medal, rosary or other religious article
 1 small note pad
 1 pen or pencil
 2 books of matches
 Reasonable quantity of candy, potato chips or other such snack items from the inmate canteen

Personal Property

You may place in safekeeping any official papers or items of sentimental value which are not authorized for retention in your personal possessions. Personal property held in safekeeping will be kept to a minimum and normally will not exceed the capacity of a twelve (12) by six (6) inch envelope. Personal property not authorized to be held in safekeeping will be disposed of, as you may elect, as follows:

1. Shipped to a person designated by you; the cost will be prepaid from your funds. Such property will be assembled, identified and carefully packed prior to shipment.
2. Picked up within a specified time (normally not more than ten (10) days by a person designated by you.
3. Donations to an individual, not an inmate or former inmate, or to a charitable organization.
4. Allow the property to be destroyed as designated by the Warden.

When property arrives at the Prison which is not allowed in your possession, the property will be inventoried, stored temporarily, and you will be sent a form asking for disposition authorization. A copy of the form follows:

TO INMATE _____	DATE: _____
<p>On _____ you were provided an opportunity to fill out the form electing a method of disposing of the property which was listed on the attached sheets which we are storing for you. I have enclosed another copy of the form for you to complete. If you do not elect one of the four approved options on the form and return it within 30 days of this date, your property will be destroyed.</p> <p>You should understand that your refusing to instruct us as to how to dispose of your property, since we cannot store it for you, will result in its destruction and you will have no basis on which to claim against the State for destroying your property. In order to avoid this problem, complete the attached form and return it to the Property Officer in 30 days.</p> <p style="text-align: right; margin-top: 20px;">_____ Deputy Warden</p>	

Upon application to the Director of Custody you may be allowed to place one set of clean dress clothing in storage for use in court appearances. Such clothing, when approved, will be on hangers and enclosed in a plastic bag. Court appearance clothing will not be accepted in any other way.

Personal property normally authorized for personal possession by inmates in the general population may be stored for those in maximum custody or serving terms of administrative or punitive segregation.

Personal cold weather clothing may be stored through the summer months on an individual basis. If you have such clothing to store, submit your request to the Director of Custody.

Electronics, Musical Instruments, Hobbycraft and Typewriters

Authorized electronic equipment includes the following:

1. Thirteen (13) inch color or black and white television.
2. Tape players
3. Portable or table model domestic band AM/FM radios - no multi-band, overseas or short wave units are authorized.
4. Combination radio and tapeplayers.
5. Stereo players (table model only)

Recording devices or phonographs are not allowed. Console radios, televisions or tape players are not authorized. Speakers over eight (8) inches in diameter are not allowed. Ear phones are strongly recommended. Electronic equipment may be mailed into the prison, picked up by the messenger or brought in by a visitor. Regardless of the method of delivery, each piece of such equipment must be approved in advance and must be registered and marked by the property officer prior to delivery to the inmate. All cases will be opened and checked for contraband.

Musical instruments may be authorized on an individual basis. Normally brass instruments, drums, or electronically amplified instruments will not be allowed. Before you order a musical instrument to be delivered to the prison, discuss it with the music teacher and/or the recreational therapist. All musical instruments must be approved in advance and must be registered and marked by the Property Officer prior to delivery to you.

Hobbycraft tools and materials must be approved by the Recreational Therapist subject to guidelines established by the Director of Custody. Normally power tools will not be authorized for use in your cell. Volatile, toxic or corrosive solvents, dyes, varnishes, paints or cleaners will not be allowed for use in your cell except in closely controlled circumstances.

Models, glues, and paints purchased at the prison canteen may be used by any inmate in his cell without prior approval. Model assembly does not require that you be on the approved hobbycraft list.

Each inmate may have one portable typewriter. Because of the limited nature of the electrical circuits in the cell block, typewriters should be manual only. Typewriters must be approved in advance and must be registered and marked by the Property Officer prior to delivery to you.

Inmate's Responsibility for Personal Property

Personal, privately-owned clothing and equipment which the foregoing paragraphs allow you to have, is brought to the prison at the personal risk of the individual inmate who owns the property. Experience has indicated that it is not infrequent for prisoners' personal possessions including stereos, radios and clothing as well as hobbycraft items to be stolen by other inmates while in the prison environment. The New Hampshire State Prison or the State of New Hampshire assumes no responsibility for these items which might be stolen, lost, damaged, destroyed or otherwise lost while on the prison grounds.

You are responsible for your personally-owned property in the prison. During reception you will sign the responsibility form shown on the following page. If you do not sign the form you will not be allowed to have personally owned items in the Prison. The following dollar values are established as ceilings. You may not have items which are valued by you at a higher value. Should such items be lost, damaged or destroyed due to accidents or negligence of staff, you will not be compensated at a greater value, no matter how you are compensated. If you now have items you think are worth more than the following dollar values, you should send them out since the below values are ceilings:

- | | |
|-------------------------|--|
| 1. Sunglasses - \$10.00 | 6. Radios - \$50.00 |
| 2. Watches - \$50.00 | 7. All personal clothes together - \$50.00 |
| 3. TV's - \$300.00 | 8. All hobbycraft tools together - \$50.00 |
| 4. Stereos - \$100.00 | 9. Typewriters - \$150.00 |
| 5. Speakers - \$20.00 | 10. Musical instrument - \$100.00 |

PRIVATELY-OWNED PROPERTY AT THE NEW HAMPSHIRE STATE PRISON

Certain items of individually-owned property are permitted in the possession of inmates at the New Hampshire State Prison. These items are described in the Manual for the Guidance of Inmates. Items not specifically identified as being permitted in the Manual may not be possessed by inmates at the prison.

The following rules have been explained to me:

1. I understand that unless it is absolutely clear that I can have the item, I should request permission to have it from the Director of Custody before I ask for it to be sent or brought to the New Hampshire State Prison. (Too often inmates request that their family or friends bring or buy items which on arrival at the institution cannot be given to the prisoner. This causes both hard feelings and a financial hardship on the family and friends involved.)
2. I understand that items which are brought for me must be kept by me. I further understand that bartering, trading, buying or selling personally-owned items within the prison is forbidden without prior approval and I recognize that if I transfer items to another prisoner or receive an item from another prisoner without prior approval of the Director of Custody, that that item becomes contraband and is subject to confiscation. (Possession of a variety of items within the prison is a status matter among inmates and frequently inmates encourage other inmates to buy, sell, trade or barter for items. Occasionally such items are secured by threats. In any case, items which were originally consigned to one prisoner may not be transferred to another without prior approval no matter what kind of item is involved.)
3. I understand that any individually-owned or privately-owned items which are in my possession at the prison however obtained are maintained by me at my own risk and that the State and the Prison are not responsible for the safety and security of such items. (All property that is individually-owned in the prison is the responsibility of the registered owner. Loss, damage, destruction or inoperativeness of such equipment is the responsibility also of the owner. Because of the nature of the prison and the prisoners, it is not unusual for items to become lost, stolen, damaged or destroyed and the State or the Prison assumes no responsibility for the safe-keeping of such items.)

The foregoing has been explained to me and I understand that I must sign below to acknowledge these understandings prior to being able to have any personally-owned items in my possession.

Signature of Inmate

Witness

Date

Original: Classification/File
Copy: Inmate

Personal Funds

At the time of your admission you were required to deposit all money and securities in your possession in the inmate's fund. These funds are kept on deposit in a local bank. Checks used to make payments from your funds do not identify you as an inmate. Money you earn while in confinement is credited to your personal account. Inmates, except those in the Minimum Security Unit, Dorm, the Community Correction Centers, or on a home visit may not have funds in their possession. Dormitory and M.S.U. inmates may have a maximum of \$5 telephone change in their possession. Inmates at the Community Correction Centers may carry money in accordance with the procedures established by the Director of Community Corrections.

You will receive a receipt each time money is deposited to your account. Funds may be sent to you by anyone on your authorized visitor list. Whenever possible, funds should be transmitted by certified check or postal money order. Personal checks will not be credited to your account until they have cleared the bank. This may cause as much as a six week delay in making the money available to you. Encourage those who send money to you to use money orders.

To draw money from your account for any of the purposes below, you must complete an inmate's fund cash withdrawal or deposit slip. These forms may be obtained from the person in charge of your living area.

Checks will be sent out on the second and fourth Wednesday of the month or more often as time permits.

Funds in your account may be transferred to a savings account in any bank or savings and loan association that has been approved by the Federal Depositors Insurance Corporation. If you have not previously established a personal account, you will be given the opportunity to establish such an account. This may be accomplished by mail. It is your responsibility to contact the bank of your choice requesting approval to open a savings account. When the approval is received, there will normally be a requirement for you to complete a signature card. The address to be used on these cards will be PO Box 14, Concord, New Hampshire 03301. You must then forward the completed signature card and the written approval to open a savings account in a particular bank to the Business Office. You must forward a completed inmate's fund cash withdrawal or deposit slip in the amount you desire to deposit. The custodian of the inmate's fund will forward your paperwork and a check in the appropriate amount to the bank designated by you. Written notification of your deposit, in the form of a passbook, will be returned to you, usually within seven (7)

to ten (10) days. This will be verification that your account has been opened. Your passbook must be turned in to the Business Office for safekeeping. Deposit slips will be retained in your possession.

You are encouraged to maintain a minimum balance of \$25 in your personal account. Unforeseen events often require money you had not planned on spending. A minimum balance in your account will ensure that you have some funds available for such contingencies.

Upon submission of a properly completed inmate's fund cash withdrawal or deposit slip, you may withdraw your personal funds for expenditures or purchases as follows:

1. Send money to dependents and/or members of your immediate family;
2. Send money to your fiancée or others, if the purpose designated is for a personal debt incurred prior to confinement, the support of family or approved bank deposits.
3. To pay for subscriptions to newspapers or periodicals.
4. To make advance payments for books or tapes.
5. To pay for mail order purchase of authorized personal property.
6. To pay fees for copyrights, birth certificates, license renewals, etc.
7. To purchase United States Savings Bonds or other recognized securities.
8. To deposit money in an authorized account at a bank or savings and loan association.
9. Payment of personal debts incurred prior to confinement.
10. Payment of taxes, fines or assessments.
11. Payment of postage or purchase of stamps. Stamps may be purchased every Friday. Request slips for stamps must be in by noon on Friday.
12. Purchase of educational material when approved by the Director of Treatment or his representative.
13. Payment for State property lost or damaged.
14. Payment of costs for repair of authorized personal property and equipment.
15. Rental of a television or rental of HBO (Home Box Office).

In addition you may authorize funds to pay dues or make contributions to organizations approved by the Director of Custody or the Chaplains.

You may transfer funds to your canteen account twice each month on an inmate's fund cash withdrawal or deposit slip. Funds thus transferred may not exceed \$40 semi-monthly. Hobbycraft purchases must be made from the canteen for items carried there. For authorized hobbycraft items not available in the Canteen, the messenger will purchase them for you. The procedure for hobbycraft purchases is:

1. Through Canteen: Submit Cash Withdrawal Slip to Canteen officer who will send it to inmate accounts. Upon approval it will be returned to the Canteen. Only then may you pick up your hobbycraft order.

2. Hobbycraft Items from Downtown: Send your cash withdrawal slip to inmate accounts following the procedure described under Prison Messenger, in the information section.

Mail

All mail, incoming and outgoing, is subject to being opened and read. All mail will be routinely inspected for contraband, except as specified for privileged correspondence below. Information obtained from inspection of such mail will not be divulged, except as deemed necessary in conducting an investigation or judicial proceedings. Any mail matter provided to investigative agencies will be handled and processed as physical evidence in accordance with applicable rules and regulations.

Inmate mail may be withheld if such mail is determined harmful to the security and order of the institution or rehabilitation of the inmate. Mail will be rejected if it contains any of the following:

1. Any material which violates postal regulations or contains gross obscenity, blackmail, contraband, unlawful threats or other communications in violation of applicable federal and state statutes.
2. Any material which contains plans for criminal activities or plots to escape.
3. Any material pertaining to gambling or a lottery except bona fide state lottery material when approved in advance.
4. Codes or plans for activities in violation of institutional rules.
5. Requests for unauthorized gifts of money.
6. Correspondence in pursuit of conducting a business except correspondence necessary to protect the property and funds of the inmate at the time of his confinement. Exceptions must be approved in advance.
7. COD or other charges on incoming items. All items, including postage, must be prepaid when ordering. For book or tape clubs the entire amount must be prepaid in advance.

Mail received at the New Hampshire State Prison will be forwarded to the addressee as expeditiously as circumstances permit.

Privileged Correspondence

Correspondence between an inmate and a privileged correspondent will not ordinarily be inspected. However, it may be opened in the presence of the inmate when considered necessary to ensure the authenticity of the correspondence or check for contraband. Mail in privileged status must be clearly marked "PRIVILEGED" on the front of the envelope.

The following is a complete list of individuals classified as privileged. Mail addressed as indicated will not be opened for inspection except in your presence and may be sealed before deposit in the mail collection boxes.

1. President of the United States, Washington, D.C.
2. Vice-President of the United States, Washington, D.C.
3. Members of Congress addressed to appropriate office.
4. The Attorney General of the United States and regional offices of the Attorney General.
5. Federal or State Courts.
6. The Governor and Council of the State of New Hampshire, State House, Concord, New Hampshire 03301.
7. The Attorney General of the State of New Hampshire, State House Annex, Concord, New Hampshire 03301.
8. Members of the Prison Board of Trustees.
9. Members of the State Parole Board, the State Parole Officer and the Institution Parole Officer.
10. Designated attorney of record.

You are allowed one free letter per week (a stamped envelope will be provided). In addition, postage on all mail addressed to the Court or to the Attorney General of the State of New Hampshire will be paid by the State. You must pay postage on all other mail.

All regular mail must be left unsealed. Sealed mail, except that in a privileged status, will be returned to you. Mail without your name and return address will be returned to you if possible. When the originator of such mail cannot be identified it will be destroyed.

Personal checks, bank checks and money orders received will be deposited to your personal account. Cash should not be sent in the mail. Cash received in the mail will be returned to the sender.

You may receive one package per month. Additional packages may be received from book or tape clubs or mail order firms if approved in advance by the Director of Custody or his designee. Packages are limited to 15 lbs. and may not contain any item you are not authorized by this manual to have. You should check with the Major's Office before having someone send you something if you have any doubt about it being allowed in.

Books, magazines, periodicals, newspapers, etc., are subject to review and approval by the Literary Review Board. Normally, forms of literature restricted from news stands in the State of New Hampshire because of alleged pornographic contents will not be approved. All forms of literature and publications, including recorded tapes, will not be accepted unless they have

been packaged and mailed by a bona fide publisher or book store. All must be prepaid and post paid. Personal letter tapes and COD packages will not be accepted.

Normally, you will not be permitted to write or receive letters or publications that are written in a language other than English. Exceptions may be approved by the Director of Custody.

Telephone Calls

Inmates at the New Hampshire State Prison may not receive telephone calls. Short emergency messages may be left by telephone but inmates will not be called to the phone. Outgoing collect telephone calls will be limited in number only to the extent necessary to insure that everyone has the opportunity to utilize the telephone. Calls may be limited to eight (8) minutes in duration and will be made during the hours of operation of the inmate telephones. The Director of Custody may authorize necessary calls to your attorney or others on an individual basis. Submit your request on an Inmate Request Slip.

Inmate Request Slips

The Inmate Request Slips are your means of communicating with the various offices and officials in the prison. You may submit them to ask questions, seek appointments, request assistance, give information, or complain about conditions or treatment. Often time will be saved if you discuss what you want to do with your work supervisor, counselor or person in charge of your living area. When it is necessary to complete a request slip it should be addressed according to content as follows:

<u>SUBJECT</u>	<u>ADDRESSEE</u>
Alcoholics Anonymous	Director of Treatment
Housing Problems	Officer in Charge of Cell Block/Major
Education	Head Teacher
Job Assignment	Classification
Family Problems	Counselor or Chaplain
Sentence Computation	Classification
Good Conduct Time	Classification
Jaycee's	Jaycee Coordinator
Mail	Mail Officer
Legal or Tax Advice	Inmate Attorney
Medical	Doctor
Dental	Dentist
Parole	Parole Officer
Funds	Business Office
Pay	Business Office
Phone Calls	Director of Custody
Visits	Director of Custody

<u>SUBJECT</u>	<u>ADDRESSEE</u>
Vocational Training	Director of Treatment
Work Release/Halfway House	Director of Community Corrections

If you are in doubt as to whom your request should be directed, ask the officer in your living area or address your request to the Director of Custody or the Deputy Warden.

Request Slips must be filled out completely. State the nature of your request, problem, or complaint. Request slips marked "Personal" or those which simply request to see someone will usually be returned for more information. The only exception to this rule is for those request slips addressed to the Chaplain. If confidentiality is required in communicating with other members of the staff the proper thing to do is to put the request slip in a sealed envelope. No stamp is needed.

When an answer is returned you will be required to sign the original copy (green copy) to signify that you acknowledged the answer. One copy is retained by you and the green copy is filed in your correctional treatment file.

Request slips will normally be acted upon at the lowest echelon with the ability and authority to handle the matter regardless of the addressee indicated.

Visiting

Each inmate is authorized two visits weekly. Ordinarily on weekdays visits are for two-hour durations. On weekends, visits are one hour in duration. However, if the visiting room is not crowded, longer visits may be authorized. Visits from attorneys, clergymen, prospective employers and other officials are not counted against the quota. During an individual's reception period, normally the first 14 days or so, visits are limited to members of the immediate family. Immediate family consists of parents, wives and children of the marriage. Following the reception period, others can visit.

Persons with Criminal Records: The existence of a criminal record, in and of itself, does not constitute a barrier to proposed visits. Consideration will be given to the nature and extent of the criminal record and history of recent criminal activity as weighed against the value of the relationship. Only if the visit or visitor poses a threat to the security of the institution may a visit be denied. Persons presently on parole will not

be allowed to visit unless specifically approved by the Warden and the State Parole Officer.

Visiting Hours: Inmates are grouped into different categories depending on their status at the institution. These different categories have different visiting hours.

1. Main Population: On weekdays, visiting hours are from 8 a.m. to 11:15 a.m. and from 1 p.m. to 4:15 p.m. Visiting hours on Saturdays are from 8:30 a.m. to 11:15 a.m. and 1 p.m. to 4:15 p.m. Visiting hours on Sundays are from 1 p.m. to 4:15 p.m. Evening visits are on Tuesday, Thursday and Sunday from 5:45 p.m. to 8:50 p.m.
2. Protective Custody: Visiting hours for protective custody inmates are from 5:30 p.m. to 8:50 p.m., Monday and Friday evenings and from 9 a.m. to 11:15 a.m. Sunday mornings.
3. Minimum Security Unit: Inmates in minimum security status have expanded visiting hours. This will be explained to you upon transfer to the Minimum Security Unit.
4. Maximum Security: Inmates in maximum custody may have additional restrictions imposed on their visiting status. Visiting hours for maximum security inmates are Wednesday and Saturday evenings from 6 p.m. to 8:50 p.m.
5. Disciplinary Segregation: Disciplinary segregation is a period of time when all privileges are revoked because of a specific infraction of the rules. Ordinarily, inmates in disciplinary segregation are not allowed visitors at all. This condition ordinarily does not exist for more than two weeks. Visits may be approved in advance with whatever special security precautions are appropriate. Specific times, locations and circumstances may be required and visits under such circumstances may be limited to immediate family members.
6. Hospital Patients: When an inmate is admitted to either the prison infirmary or to a downtown hospital, visits also may be curtailed for medical or security reasons. If an inmate is in the prison infirmary, some visits may be allowed, depending on the medical condition of the inmate. Patients at Concord Hospital or other private medical facilities will be

granted visits only with prior approval of the Warden or his designee.

Frequency and Duration of Visits: For the purpose of accounting for the number of visits received, the week begins on Sunday morning.

Consideration may be given to the distance a visitor is required to travel in order to visit an inmate. Persons required to travel great distances may request permission for extended visits, in advance, by letter or telephone, from the Director of Custody or his designated representative.

Visiting may be discontinued during periods of institutional disturbances when deemed advisable by the Warden.

Items Visitors May Bring to the Visiting Room: Only the following items may be taken up to the visiting room:

1. 1 book of matches
2. 1 handkerchief
3. 1 baby bottle with milk, juice or formula, if appropriate
4. 2 diapers, if appropriate
5. \$2 worth of coins to operate the vending machines
6. 2 packs of cigarettes (cigarettes will be opened and inspected at the front door)

Inmates may not bring items to the visiting room without prior approval from Custody.

Special Visits: "Special Visits" may be authorized by the Director of Custody or his designated representative. Special visitors may include members of the clergy, prospective employers, etc. Special visits may also be authorized for unusual or compassionate family matters. Special visits may be received as often as the situation demands and will not be counted against an inmate's regularly scheduled visiting hours unless other arrangements have been made with the Director of Custody or senior correctional officer on duty.

Special visits must be approved in writing by the Director of Custody or his designated representative.

Business Visits: It is the policy of the New Hampshire State Prison that no inmate shall be permitted to engage actively in a business or profession while serving a sentence. An inmate who has engaged in a business or profession prior to commitment will be expected to delegate authority for the operation of such business or profession to a qualified person. This does not mean that the inmate may not have a visit which may be necessary to protect his resources or financial interests. Even though the inmate has turned over the operation of his business or profession to another person or persons, there may be an

occasion where a decision must be made which will substantially affect the assets or prospects of the business. Insofar as possible, business matters which require the inmate's attention should be resolved by correspondence. Before visits of this kind are permitted, the Director of Custody shall ascertain that the business is of a legitimate nature. The time allowed for the visit shall be determined by the Director of Custody or his designated representative. In certain instances, when there are excessive requests for business visits, the matter should be brought to the attention of the Warden or Deputy Warden.

Children: Children under the age of 16 are not permitted to visit unless accompanied by an adult. Toys and other distractions are available in the visiting room for the use of children. The behavior of children is a joint responsibility of the inmate and visitor and visits will be terminated if children are allowed to misbehave or to become out of control.

Number of Visitors: Ordinarily visits are limited to two visitors per inmate at one time although in some circumstances, with permission, additional visitors may be permitted.

Attorney Visits: Visits by retained and appointed attorneys and by attorneys requested by an inmate or his family in contemplation of prospective legal representation shall be permitted. This may include visits by a law student, paralegal or person under direct supervision of an attorney, when approved in advance by the attorney and the Director of Custody.

Attorneys may visit their inmate clients as often as is necessary to provide the inmate with the best possible legal services. Attorneys should visit during scheduled visiting hours, however, an attorney may visit a protective custody inmate during main population visiting hours or visit a main population inmate during PC visiting hours.

If circumstances necessitate that a visit take place at times other than regularly scheduled visiting hours, the attorney should telephone the prison and obtain permission from the Director of Custody or the senior officer on duty. Every effort will be made to permit an attorney access to his client at any reasonable hour.

The attorney shall identify himself as the attorney for whom the visit has been approved by showing the letter from the inmate or his family requesting the visit, or by showing such other information that would identify him as an attorney of the inmate he has requested to see. A law student, paralegal or other similar person who has been approved in accordance with the procedures outlined above, shall be required to show letters of authorization from his/her

granted visits only with prior approval of the Warden or his designee.

Frequency and Duration of Visits: For the purpose of accounting for the number of visits received, the week begins on Sunday morning.

Consideration may be given to the distance a visitor is required to travel in order to visit an inmate. Persons required to travel great distances may request permission for extended visits, in advance, by letter or telephone, from the Director of Custody or his designated representative.

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6. 2 packs of cigarettes (cigarettes will be opened and inspected at the front door)

Inmates may not bring items to the visiting room without prior approval from Custody.

Special Visits: "Special Visits" may be authorized by the Director of Custody or his designated representative. Special visitors may include members of the clergy, prospective employers, etc. Special visits may also be authorized for unusual or compassionate family matters. Special visits may be received as often as the situation demands and will not be counted against an inmate's regularly scheduled visiting hours unless other arrangements have been made with the Director of Custody or senior correctional officer on duty.

Special visits must be approved in writing by the Director of Custody or his designated representative.

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occasion where a decision must be made which will substantially affect the assets or prospects of the business. Insofar as possible, business matters which require the inmate's attention should be resolved by correspondence. Before visits of this kind are permitted, the Director of Custody shall ascertain that the business is of a legitimate nature. The time allowed for the visit shall be determined by the Director of Custody or his designated representative. In certain instances, when there are excessive requests for business visits, the matter should be brought to the attention of the Warden or Deputy Warden.

Children: Children under the age of 16 are not permitted to visit unless accompanied by an adult. Toys and other distractions are available in the visiting room for the use of children. The behavior of children is a joint responsibility of the inmate and visitor and visits will be terminated if children are allowed to misbehave or to become out of control.

Number of Visitors: Ordinarily visits are limited to two visitors per inmate at one time although in some circumstances, with permission, additional visitors may be permitted.

Attorney Visits: Visits by retained and appointed attorneys and by attorneys requested by an inmate or his family in contemplation of prospective legal representation shall be permitted. This may include visits by a law student, paralegal or person under direct supervision of an attorney, when approved in advance by the attorney and the Director of Custody.

Attorneys may visit their inmate clients as often as is necessary to provide the inmate with the best possible legal services. Attorneys should visit during scheduled visiting hours, however, an attorney may visit a protective custody inmate during main population visiting hours or visit a main population inmate during PC visiting hours.

If circumstances necessitate that a visit take place at times other than regularly scheduled visiting hours, the attorney should telephone the prison and obtain permission from the Director of Custody or the senior officer on duty. Every effort will be made to permit an attorney access to his client at any reasonable hour.

The attorney shall identify himself as the attorney for whom the visit has been approved by showing the letter from the inmate or his family requesting the visit, or by showing such other information that would identify him as an attorney of the inmate he has requested to see. A law student, paralegal or other similar person who has been approved in accordance with the procedures outlined above, shall be required to show letters of authorization from his/her

supervising attorney and proper identification.

New Hampshire State Prison reserves the right to refuse admission to those who fail to comply with regulations or where it is determined that the visit or the attorney visitor constitutes a clear and present danger to institutional security.

If there is any question about the identity of the attorney or his qualification as an attorney in good standing, the matter should be referred to the Warden or the Deputy Warden.

Visits between the attorney and his client shall not be subject to auditory supervision. Tape recordings may be used by the attorney during the course of his visit when he agrees in writing in advance of the interview that the only purpose of the recording is to facilitate the attorney/client relationship. Following is a sample of a statement which might be used to assure compliance with this section:

"I, _____, a licensed attorney in the State of _____, visiting _____ on _____, 19____, agree that my visit with this inmate is for the purpose of facilitating the attorney/client relationship and for no other purpose. I agree that any tape recording or other recording made by me will be used only to facilitate this relationship.

Attorney

Psychiatrist/Psychologist Visits: When requested by the Court or an inmate's attorney, special arrangements will be made so that a psychiatrist or psychologist may conduct his interview and testing in the proper atmosphere.

Clergy Visits: Clergymen who present themselves at this institution and who can produce evidence that they are in good standing with a recognized religious faith, shall be allowed access to the institution for the purpose of visiting inmates. However, the Warden shall determine the number of inmates that a clergyman may visit at any one time, based on security and program considerations. As mentioned above, clergy visits shall not be counted against an inmate's regular visiting hours.

Interview and Identification of Visitors: Visitors may be interviewed at the time of their first visit or at a later visit by a person or persons designated by the Warden, for the purpose of determining whether or not their visits would jeopardize the security, safety and/or morale of the institution.

The usual means of identification are automobile driver's license, social security card, membership cards of various kinds bearing the signature of the visitor or other personal papers. These need not be the sole basis of identification. Tactful questioning on the basis of available information may help clear up doubtful cases. Inability to establish identity should be reported to the Warden or his authorized representative. Failure to have or show proper identification may result in denial to visit.

Visits by News Media: Reporters from various news papers may visit but their visits will be counted towards the two visits per week allowed.

Supervision of Visits: In the supervision of visiting, it is the responsibility of the visiting room officer to make certain that all visits are conducted in a quiet, orderly and dignified manner.

No articles, items or papers may be passed between the inmate or his visitor directly. If the prior approval of the Warden or his designee is obtained articles, items or papers may be handed by the inmate or the visitor to the visiting room officer who will then hand it to the other party. If there is substantial basis to conclude that any materials are being passed which constitute contraband or are otherwise in violation of the law or institutional rules and regulations, the visiting room officer will immediately report this type of activity to a supervising officer.

Money may be left for deposit in the inmate's account at the Control Room or mailed to the inmate in the form of money orders or personal or cashier's checks.

Handshaking, embracing and kissing may be permitted within the reasonable bounds of good taste at the beginning and at the end of the visit. The reason for limiting physical contact is to minimize the opportunity to introduce contraband into the institution.

Visits that become noisy and boisterous will be stopped and the remaining visiting time will be cancelled.

Visitors who return from the visiting room to the waiting room will not be permitted to go upstairs again during the remainder of the visiting period, unless advance permission is granted by the visiting room officer.

Inmate's Visiting Privileges Suspended: The visiting privileges of an inmate may be suspended in accordance with the procedures outlined above in the section entitled disciplinary status. In this event it is the

inmate's responsibility to notify his prospective visitors.

Temporary or Permanent Denial of a Visitor: A visit or visitor may be denied only if the visit or visitor poses a clear and present danger to the security of the institution or to any person in the institution, or if the person has participated or assisted any inmate in illegal activities or a serious violation of institutional rules, and there is reasonable likelihood that if the visit is permitted such activities or violations will recur. Both the inmate and the rejected visitor will be advised of the basis for the rejection, the duration of the denial, and that such rejection can be appealed to the Warden either in person or in writing. The rejected visitor and the inmate will also be advised of what circumstances or special considerations, if any, may be necessary to reinstate visiting privileges.

Visitor's Penalty for Circumventing Regulations: Visitors and inmates who violate the rules or instructions of the officers on duty may have their visiting privileges suspended or revoked altogether. It is necessary for everyone to conduct themselves in a proper way so that unpleasantness does not occur in relation to visiting. It is important to remember that the correctional officer on duty has a difficult job to do, and that he did not make up the rules and he cannot change them. Hostility toward the correctional staff is unpleasant for the visitor, the visitee and the staff and may result in loss of some privileges.

Contraband: New Hampshire Statute RSA 622:24 states: "Regulations: No person shall deliver or procure to be delivered or have in his possession with intent to deliver to a prisoner confined in the State Prison, or deposit or conceal in or about the prison, or in any vehicle entering the premises belonging to the prison, any article with intent that a prisoner shall receive or obtain it, or receive from a prisoner any article with intent to convey it out of the prison, or bring into, or attempt to take from the prison, any article contrary to the rules and regulations established by the Prison Trustees and without knowledge and permission of the Warden."

Further, RSA 622:5 states: "Penalty: Any person who violates any provision of RSA 622:24 shall be guilty of a Class B Felony."

Following are the formal rules about contraband on prison grounds.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Trustees of New Hampshire State Prison
281 North State Street
Concord, New Hampshire 03301
Tel. 224-6654

CHAPTER Pr 100 RESERVED

CHAPTER Pr 200 RESERVED

CHAPTER Pr 300 PUBLIC ACCESS TO STATE PRISON

PART Pr 301 CONTROL OF CONTRABAND ON PRISON GROUNDS

Statutory Authority RSA 622:24

Pr 301.01 Items Considered Contraband. Contraband consists of:

(a) Any substance or item whose possession is unlawful for the person of the general public possessing it (including but not limited to narcotics, controlled drugs, automatic or concealed weapons, possessed by those not licensed to have them).

(b) Any firearm or device designed to propel or guide a projectile against a person, animal or target.

(c) Any bullets, cartridges, projectiles or similar items designed to be projected against a person, animal or target.

(d) Any explosive device, bomb, grenade, dynamite or dynamite cap or detonating device including primers, primer cord, explosive powder or similar items.

(e) Any drug item, whether medically prescribed or not, in excess of a one day supply or in such quantities that a person would suffer intoxication or illness if the entire available quantity were consumed alone or in combination with other available substances.

(f) Any intoxicating beverages.

(g) Large sums of money or negotiable instruments (in excess of \$100).

(h) Lock-picking kits or tools or instructions on picking locks, making keys or obtaining surreptitious entry or exit.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

(i) The following types of items are contraband in the possession of an individual who is not in a vehicle, but are not contraband stored in a secured vehicle:

- (1) Knives and knife-like weapons.
- (2) Clubs and club-like weapons.
- (3) Maps of the prison vicinity or sketches or drawings or pictorial representations of the prison, its grounds or its vicinity.
- (4) Pornography or pictures of visitors or prospective visitors undressed.
- (5) Radio receivers capable of monitoring or transmitting on the high police band in the possession of other than law enforcement officials.
- (6) Identification documents, licenses and credentials not in the possession of the person to whom properly issued.
- (7) Ropes; saws; grappling hooks; fishing line; masks; artificial beards or mustaches; cutting wheels; or string, rope or line impregnated with cutting material; or similar items to facilitate escapes.
- (8) Balloons, condoms, false-bottomed containers, or other containers which could be used to facilitate illegal transfer of contraband.

Source. #1533, eff 2-14-80

Pr 301.02 Prison Grounds Defined. Prison grounds includes all real property owned, leased, or under the control of the prison. Normally such grounds include all of the prison property west of North State Street which houses the main prison and the minimum security unit including the roads, lawns, buildings, woods, parking lots and other areas appurtenant thereto; the prison farm and its buildings, roads, fields, woods and land; the Community Corrections Center on Shea Farm and its surrounding lands, fields, roads, parking lots and buildings; the Manchester Community Corrections Center on Lowell Street in Manchester with its grounds, buildings, driveways and lawns. Additional areas may be included if they become used to house, work, or train inmates.

Source. #1533, eff 2-14-80

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Pr 301.03 Contraband on Prison Grounds Prohibited. The possession, transport, introduction, use, sale or storage of contraband on the prison grounds without prior approval of the board of trustees, or the warden or deputy warden is prohibited under the provisions of RSA 622:24 and RSA 622:25.

Source. #1533, eff 2-14-80

Pr 301.04 Searches and Inspections Authorized. Any person or property on state prison grounds is subject to search to discover contraband. Searches are necessary to prevent the introduction of contraband into the prison and the hands of the inmates and to prevent escapes, violence and situations where violence is likely. Travel onto prison grounds constitutes consent to search for contraband. Searches and inspections shall be conducted as follows:

(a) All motor vehicles parked on prison grounds shall be locked and have the keys removed. Custodial personnel shall check to insure that vehicles are locked and shall visually inspect the plain view interiors of vehicles. Vehicles discovered to be unlocked shall be searched to insure that no contraband is present. Contraband discovered during searches shall be confiscated for evidence, as shall contraband discovered during plain view inspections.

(b) All persons entering the prison to visit with prisoners or staff, or to perform services at the prison or to tour the prison are subject to having their persons checked for contraband. In order to minimize the scope of such searches items not needed for the visit such as purses, coats and other baggage shall be left either in the vehicles or in the front door area. All items and clothing carried into the institution beyond the front door waiting area shall be searched for contraband. Items left at the front door storage area are subject to inspection and search upon occasion, but are not always searched. Contraband seized shall be retained as evidence under the provisions of RSA 622:24.

(c) When apparently reliable information exists that a visitor is expected to deliver contraband to an inmate, the visitor shall be offered the opportunity to choose to be detail searched (strip searched including a viewing of body cavities) or not to enter the prison. Since such detail searches are unpleasant and time consuming for all involved, they shall be required only on the authority of the Major, Deputy Warden or Warden on a special need basis where such apparently reliable information clearly mandates the need for contraband exclusion. Such detail searches shall be accomplished by 2 or more staff members of the same sex as the person to be searched and shall be done out of the public view.

Source. #1533, eff 2-14-80

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Pr 301.05 Inspection of Material Subject to an Attorney-Client Privilege. Material whose confidentiality is protected by an existing or past attorney-client privilege is, nevertheless, subject to some inspection, as outlined below, to insure the absence of contraband. In order to accommodate the recognized interest of prisoners and attorneys in maintaining the confidentiality necessary to effectuate legal representation to the maximum extent possible consistent with the prison's need to insure internal security, the following special procedures shall apply to attorneys seeking entry to the New Hampshire state prison:

(a) Prior to entering the prison, all visiting attorneys (including paralegals, law clerks, or other persons designated by an attorney as his agent), will be required to certify in writing on a form provided by the prison that no written nor textual contraband, as described on said form, is contained in any material brought into the prison by the attorney or his agent.

(b) Prior to entering the prison, all visiting attorneys (including paralegals, law clerks, or other persons designated by an attorney as his agent), shall submit their persons and all books, briefcases, folders, files or other containers of whatever description being carried by them to a search, as herein defined, by the appropriate prison guard.

(c) Prior to any search, the attorney or his agent shall designate which materials in his possession, if any, are subject to an attorney/client privilege of confidentiality.

(d) The inspection guard shall search all material except that designated as coming within the scope of attorney/client privilege. Material designated as privileged shall only be inspected in a manner detailed as in paragraph (e) and in the immediate presence of the visiting attorney or his agent.

(e) The inspection guard shall not read or attempt to read any writing designated as privileged nor shall the guard search or view privileged material for, or in any way attempt to discover therein, contraband which is dependent upon its written or textual content for its contraband character (i.e., written or textual contraband). Specifically, the inspecting guard shall not scrutinize any material designated as privileged for textual contraband. Rather, the attorney shall place the privileged material or file face down or text side down on a flat surface designated by the guard. The guard shall then by touching or mechanical means inspect the privileged material to insure the absence of concealed physical contraband other than textual contraband. For purposes of this section, physical contraband includes but is not necessarily limited to items such as weapons, drugs, drug paraphernalia, clothing, cash, and implements of disguise or escape. Such inspection can include a

Pr 10-80

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

page-by-page separation of and pat down of the privileged written material provided the inspected material is examined text side down and in the presence of the visiting attorney. The attorney shall insure that no attempt to read any confidential material occurs, and shall report any suspected violation to the warden or his deputy immediately, and the warden or his deputy shall take immediate and appropriate administrative action against any guard violating any provisions of this rule.

(f) The procedures set out herein pertaining to the inspection of privileged material sought to be introduced into the prison shall also be applicable to privileged material upon departure from the prison.

Source. #1661, eff 11-6-80

Pr 301.06 Penalty for Violation. Persons who fail to comply with these rules shall have visiting privileges restricted as the warden deems appropriate and shall, in appropriate cases, be referred for trial under RSA 622:24 or other statutes.

Source. #1533, eff 2-14-80

Pr 10-80

Pass System

Movement of inmates in and about the prison is controlled and regulated by schedules and a system of passes. All other movement is unauthorized and may subject you to a charge of being out of place. When you find that you must be outside your assigned area for any reason be sure you are carrying a valid movement pass.

When you are required to leave your assigned detail for any valid reason such as a dental appointment, counseling session, education, visitor, etc., you will be issued a pass by your work supervisor.

When you have the pass in hand proceed directly to your destination and present the pass to the correctional officer or civilian supervisor at that location. When you have finished your business the pass will be annotated with the time and it will be returned to you. If your assigned work detail is still on the job return directly to your detail and present the pass to your work supervisor. If working hours have passed return to the cell block via the Control Room.

It is your responsibility to ask for a pass before you leave your work area. Movement outside your assigned area except scheduled mass movements requires a pass. Failure to have one in your possession will subject you to charges of violating Rule #37 and disciplinary action.

Quiet Hours

Quiet hours are established from midnight to 6 a.m. daily. Between these hours, radios, stereos, televisions and similar equipment will not be operated without ear phones. Frequently sources of irritation and complaint on the part of inmates is the inability to sleep because of the noisiness of the prison. The prison is noisy anyway and the added noise of radios and televisions on different stations is undesirable. Radios and televisions may be operated between midnight and 6 a.m. if they are equipped with earphones or plugs and so cannot be heard except by the person listening to them. If your equipment is heard during quiet hours, you will be reported and you may lose the use of your electronic equipment.

ANNEX A TO NEW HAMPSHIRE STATE PRISON INMATE MANUAL

Disciplinary Procedures

The following is an explanation of terms and an outline of the procedures that will be followed by the institution when a staff member observes that an inmate has engaged in punishable conduct.

1. Report of Instances of Punishable Conduct by Staff

Staff members are required to prepare a disciplinary report where they have a reasonable belief that an inmate has engaged in punishable conduct. This may be done in one of two ways: the staff member may serve the inmate with a "bad on the spot report" a copy of which will be filed in the inmate's record, or he may submit a disciplinary report to the Director of Custody.

a. If it is believed that the inmate has committed a crime covered by State Statute, the case will be referred to the State Police for investigation.

b. Disciplinary reports filed by staff members will be processed in the following manner:

(1) The Shift Commander will review statements of the Staff personnel involved and will review both the disciplinary report itself and the statements to insure that the basic questions of who, what, when, where, how and why are answered.

(2) He will contact the inmate or inmates involved and will ask them to give statements relating to their version of the events.

(3) He will obtain a list of witnesses from the inmate or inmates involved find out the expected testimony from the prospective witnesses and have them give statements if they can provide information relative to the incident.

(4) He will insure that evidence is safeguarded and properly identified.

(5) After having completed this preliminary investigation (if necessary, the Shift Commander can use other officers assigned to the shift senior to the officer who wrote the report to assist him in this investigation but the Shift Commander is responsible for the accuracy of the investigation), he should make a written recommendation to the Major. The written recommendation should include:

(a) That the whole case be dropped as not being worthy of further action;

(b) To reduce the disciplinary report to a spot report;

(c) To refer the matter to a disciplinary hearing. If the recommendation is to refer the matter to a disciplinary hearing, the Shift Commander should recommend as to whether he believes it should be a minor hearing or a

major hearing and in either case to recommend what he believes to be an appropriate punishment should individual be found guilty at the hearing.

(6) The Major will review the recommendations made by the Shift Commander and will either:

- (a) Approve them;
- (b) Add his recommendations if different than the Shift

Commander's recommendations;

- (c) Forward the investigative package to the Investigations

Officer.

(7) The Investigations Officer will:

- (a) Perform additional investigation if required;
- (b) Once the investigation is considered complete, the Investigations

Officer will schedule an appropriate hearing;

- (c) Prosecute the case at the hearing;

- (d) Insure that the complete report of the hearing is returned

to the Major's Office.

(8) Upon receipt of the final complete disciplinary hearing, the Major will authenticate minor hearings, review major hearings and forward both to the Deputy Warden for final review and authentication. Following the Deputy Warden's review and authentication, the Major will insure that the report is disseminated to the inmate involved, if punishment is awarded that the punishment is carried out, and that the documents are filed in the Classification folder in the case of "guilty" findings and in the investigative files in the case of "not guilty" findings. If disciplinary segregation is awarded as punishment, the Major has the authority either at the time of his review or at any other time to reduce the number of days to be served on disciplinary segregation as is appropriate, considering the inmate, the offense and his prior and subsequent behavior.

(9) Guilty pleas during investigations: If during the investigation of a disciplinary report the inmate expresses a desire to plead "guilty" to the allegation, and dispose of the matter immediately, the Shift Commander is authorized to accept such a guilty plea and impose appropriate punishment.

Punishment in these immediate guilty pleas is limited to:

- (a) Recommendations for living or work changes;
- (b) Reprimand;
- (c) Restitution (not to exceed \$100);
- (d) 15 days loss of privileges;
- (e) 7 days punitive segregation;
- (f) Loss of up to ten (10) days good conduct time.

or any combination thereof. Any punishment imposed or any portion thereof can be suspended for a period of up to six (6) months, and the punishment is effective immediately unless the imposing Shift Commander delays its imposition for a specified period.

c. In all cases where a report is referred for a hearing, the Investigations Officer will provide the inmate concerned with written notice of the charges against him and the date and time of the hearing in writing at least 24 hours before the hearing is scheduled. Once informed of the charges in writing an inmate may expect his hearing to be within seven days unless there are unusual circumstances.

2. Major Hearings

a. The major disciplinary board will consist of not less than three members of the staff, at least one of whom will be a member of the non-uniformed staff. Direct involvement in an incident or an investigation will disqualify a member from sitting on the board hearing charges based on the incident or relating to the investigation.

b. The investigation officer will present the case against the inmate.

c. The inmate will be present at the hearing unless his behavior during the hearing justifies exclusion or he elects not to attend.

d. Inmates will be permitted to make statements, present evidence and call witnesses who have first-hand knowledge relative to the case. Witnesses who testify against the inmate may be cross-examined by the inmate through the Chairman of the Board (that is to say the inmate directs a question to the Board Chairman who asks it of the witness).

e. Inmates are responsible for providing the investigations officer with a list of requested witnesses 24 hours in advance so that the officer may assure their presence. The Board is not required to hear testimony or accept evidence which is repetitious, redundant, immaterial or irrelevant. The Board may rule as to whether or not to accept evidence; its decision to exclude evidence will be final.

f. Since the hearing is non-adversarial in nature, advocates for the inmates are not permitted. Each inmate is to present his own defense. (An exception can be granted by the Warden so that a staff member can assist an inmate who is incompetent to present his own defense because of language or mental difficulties.)

g. The Board will reach its decision in closed session. The inmate will be informed of the decision and allowed to present matters in extenuation or mitigation before being sentenced. The Board will deliberate on what punishment to impose in closed session. When a punishment has been arrived at, the inmate will be informed of the punishment by the Chairman of the Board.

The findings and sentence of the Board will be provided to the inmate in writing when they are prepared.

h. All hearings will be reviewed by the Deputy Warden. He may approve the findings and sentence in whole or in part. He may not increase the punishment awarded by the Board, but he may reduce it or substitute punishments.

i. Punishment will start immediately. The day the Board imposes punishment will count as the first day of the sentence.

j. In every case the inmate may appeal the decision of the disciplinary board by sending to the Warden a written statement notifying the Warden that the inmate wishes to appeal the decision of the disciplinary board and setting forth the reasons why the inmate believes that the decision of the hearing board was in error. Appeals received more than five days after the date sentence is imposed will not be considered. Normally, inmates will receive a written report of the action taken on an appeal within five days of the day the notice of appeal is sent to the Warden.

k. When an inmate is found not guilty, all records of the incident will be removed from his Classification file.

3. Minor Hearings

a. Minor disciplinary hearings will be conducted before a one-officer board. The officer must have the rank of Lieutenant or higher and must not have been involved either in the incident or its investigation.

b. The minor disciplinary board may hear witnesses who testify either in favor of the inmate or against him. Inmates will be permitted to make statements, present evidence and call witnesses who have first-hand knowledge relative to the case. Witnesses who testify against the inmate may be cross-examined by the inmate through the hearing officer (that is to say the inmate directs a question to the hearing officer who asks it of the witness).

c. Inmates are responsible for providing the investigations officer with a list of requested witnesses 24 hours in advance so that the officer may assure their presence. The hearing officer is not required to hear testimony or accept evidence which is repetitious, redundant, immaterial or irrelevant. The hearing officer may rule as to whether or not to accept evidence; his decision to exclude evidence will be final.

d. The accused will be present during the hearing unless his conduct justifies exclusion or he chooses not to be present.

e. The accused will be provided a written copy of the decision of the hearing officer setting forth any punishment imposed.

f. The inmate may appeal the decision of the hearing officer to the Director of Custody by sending the Director of Custody a written notice of appeal setting forth the reasons why the inmate feels the decision of the hearing officer was in error. Appeals not received within five days of sentencing will not be considered.

g. When an inmate is found not guilty, all records of the incident will be removed from his classification file.

4. Administrative Segregation

If an inmate is believed to have committed an offense normally heard by a major disciplinary board and he is determined to constitute a threat to himself, others or the institution, he may be placed in administrative segregation upon approval of the Warden or staff duty officer. An inmate may also be placed in administrative segregation with the approval of the Warden or Deputy Warden if he is interfering with an investigation. An inmate who believes that he has been placed in administrative segregation unfairly may send a written request to the Warden or Deputy Warden asking that he be released from administrative segregation and setting forth the reasons which would justify release.

5. Punishment

Minor Hearings: The following disciplinary measures may be imposed after a finding of guilty at a minor disciplinary hearing:

a. Recommendation for re-assignment of cell or work detail;

b. Reprimand;

c. Restitution to a damaged party the cost of any item damaged or destroyed by the inmate. Such restitution to be made out of not more than one-half of all the inmate's pay earned for a period not to exceed 12 months;

d. Loss of any privileges except visiting for not more than 30 days (recreation, canteen, television, hobbycraft, etc.);

e. Placement in punitive segregation for not more than 7 days (while in punitive segregation, inmates will not be allowed to have visitors);

f. Forfeiture of not more than 10 days good conduct time;

g. Any or all of the above may be suspended for a period of six months.

Major Hearings: The following disciplinary measures may be imposed after a finding of guilty at a major disciplinary hearing:

a. Any combination of measures listed in Paragraph 5, a. through g. above;

b. Restitution to a damaged party of the full cost of any item damaged or destroyed by the inmate, such restitution to be paid by taking up to one-half of the inmate's pay until the full amount of damage is prepaid;

- c. Punitive segregation not to exceed 15 days;
- d. Forfeiture of not more than three hundred sixty-five (365) days of earned good conduct time;
- e. Any or all of the above may be suspended for a period of one year.

6. Suspended Sentences

If an inmate is found guilty of an additional offense at any time during the time a suspended sentence is imposed, the Warden may vacate the suspension in addition to any punishment received for the new offense.

7. Loss of Meritorious Good Conduct Time

By State Statute the Warden has the authority to grant five days meritorious good conduct time to each inmate for his conduct and work performance during each month. It is the policy of the New Hampshire State Prison that any inmate found guilty of misconduct by a disciplinary board will not receive any meritorious good conduct time during the month in which the sentence is announced.

8. Other Recommendations

In addition to any of the authorized punishments, the Board may recommend custody changes, job changes, cell or housing changes or other matters normally processed by the Classification Board when such changes seem in the best interests of the prisoner's treatment program.

END