Readopt with amendment Cor 400, effective 9-29-17 (Document # 12397, Interim), to read as follows:

CHAPTER Cor 400  CLASSIFICATION

PART Cor 401  PURPOSE AND SCOPE

Cor 401.01  **Purpose.** The purpose of this chapter is to provide rules that establish the general framework for an objective corrections classification system. The day-to-day internal practices and procedures of the classification system are contained in the classification handbook.

Cor 401.02  **Applicability.** These classification rules shall apply to all persons in the custody of the department.

PART Cor 402  CORRECTIONAL CLASSIFICATION SYSTEM

Cor 402.03  **Correctional Classification Profile System.**

(a) The objective corrections classification system utilized by the department shall be based upon the a nationally recognized model called the Correctional Classification Profile (CCP).

(b) The CCP model shall systematically identify the following 8 security and program needs of inmates and match them with the department's facilities and program resources:

1. Public Risk (P);
2. Institutional risk (I);
3. Medical and health care needs (M);
4. Mental health needs (MH);
5. Treatment needs (T);
6. Educational needs (E);
7. Vocational needs (V); and
8. Work skills (W).

(c) The objectives of the CCP model used shall be to provide an objective classification system that:

1. Considers the safety of the public as well as the institutional safety of the staff and the inmate population;
2. Places inmates in the lowest security status commensurate with their security needs and custody requirements with regard to public safety and institutional risk in a consistent and fair manner;
(3) Militates against extended maximum custody status unless exceptional reasons or circumstances exist, such as escape attempts, numerous and recent major disciplinary violations, repeated returns to maximum custody or an ongoing public threat;

(4) Matches inmates' needs with agency resources to include utilizing staff in the most efficient and effective manner;

(5) Is easily administered, provides for ease in training staff, and is easily explainable to the inmate population, as well as to the public;

(6) Maximizes the use of the institutional classification process through specialized testing and interviews by prison program and support staff, and which develops a system that will not only assign housing to inmates but also assure that they receive the maximum benefit of training and programming available to them in accordance with their needs;

(7) Is capable of validation; and

(8) Can be easily incorporated into a computerized management information system that could be further used for planning for the needs of the department and the inmates.

Cor 401.04 402.02 Classification Boards.

(a) There shall be 3 formal classification boards within each facility.

(1) The initial classification board
(2) The administrative classification board
(3) The unit classification board

(b) The initial classification board shall make recommendations to the warden administrator of inmate classification and offender records relative to the initial classification and the inmate's pre-release plan.

(e) (1) The initial classification board shall be facilitated by a classification member, comprised of:

(1) The classification officer or designee; and

(2) At a minimum, one other member.

(d) The classification officer or designee shall be the chair of the initial classification board at each facility except at the New Hampshire state prison for women.

(c) A correctional counselor/case manager shall be the chair of the initial classification board at the New Hampshire state prison for women.

(f) The designated facility administrative classification board shall review the circumstances surrounding placement of the individual in administrative review status and make recommendations to the administrator of inmate classification and offender records for resolving the status, classification status, housing status and program status.
(g)(1) The designated facility administrative classification board shall be comprised of:

(1) (i) The facility classification officer sending unit supervisor or designee; and

(2) (ii) At a minimum, one other member.

(h)(2) The chair of the designated facility administrative classification board shall be the facility classification officer sending unit supervisor or designee.

(i)(d) The unit classification board shall review the inmate's progress and make reclassification recommendations to the classification officer administrator of inmate classification and offender records, pursuant to Cor 403.01, below.

(j)(1) The unit classification board shall be comprised of:

(1)(i) The unit manager supervisor or designee; and

(2)(ii) At a minimum, one other member. The individual's case manager.

(k)(e) The chair of the unit classification board shall be the unit manager supervisor or designee.

(l)(f) If the unit manager supervisor or designee is unable to be present at the board, at least 2 other members shall be required.

Cor 401.05 402.03 Classification Officer Staff.

(a) There shall be a classification officer staff at every facility except at the New Hampshire state prison for women.

(b) A correctional counselor/case manager shall serve as the classification officer at the New Hampshire state prison for women.

(c) The classification officer staff shall:

(1) Conduct quarantine interviews and provisionally assign the inmates to a housing unit for the remainder of the diagnostic period;

(2) Make recommendations to the warden administrator of inmate classification and offender records on behalf of the initial classification board;

(3) Sign and submit the pre-release plan to the warden administrator of inmate classification and offender records for approval;

(4) Track the implementation of the pre-release plan and the progress of the inmate person under Departmental control;

(5) Function as a fact-finder and potentially as a hearings officer in reviewing the reclassification recommendations of unit boards, and thereafter make reclassification recommendations to the warden administrator of inmate classification and offender records;
(6) Monitor the activities of unit classification boards to assure that standards and eligibility criteria are being followed;

(7) Make recommendations for special conditions such as requirements for conditional parole commitment and alternative release programs;

(8) Train departmental personnel in the classification process; and

(9) Inform the victim services coordinator about recommended inmate transfers or reduced custody levels to facilitate timely notification of crime victims.

PART Cor 402 403 INMATE INITIAL CLASSIFICATION

Cor 402.01 403.01 Intake Procedures.

(a) Upon admission to a facility each inmate person under Departmental control shall be brought to the reception and diagnostic area by the transporting authorities.

(b) Initial processing shall consist of the following:

(1) A thorough body search shall be done to check for contraband;

(2) Medical problems shall be noted and reported by the intake officer to the medical department and security;

(3) All new inmates persons under Departmental control and inmates individuals brought in from an overnight stay over 48 hours at another facility, and inmates individuals returning from C-1 status shall receive a shower with a delousing solution;

(4) The inmate individual shall be dressed in state issued clothing, given bedding and toilet articles;

(5) All property and money shall be collected and placed in storage for safekeeping;

(6) A property receipt shall be issued to the inmate individual;

(7) The receiving officer shall interview the new inmate individual and complete the necessary reception paperwork data entry;

(8) Fingerprints and photographs of the inmate individual shall be taken;

(9) The inmate’s individual’s committal paperwork shall be reviewed to insure that the individual has been committed to the custody of the department; and

(10) A copy of the inmate individual information handbook including the rules and expectations required as well as the initial guidelines of the classification procedures shall be provided to each incoming inmate.
(c) The inmate individual shall sign a receipt for the inmate individual information handbook to assure that he or she has been properly notified of his or her responsibilities as an inmate individual.

(d) Every inmate individual shall receive an identification card which he or she is required to carry on his or her person at all times unless otherwise directed. Inmates individuals shall be subject to disciplinary action if the ID card is lost or destroyed, and shall be responsible for the replacement cost.

(e) Upon completion of the intake process the inmate individual shall be housed in the appropriate housing unit in a quarantine status, as determined by the classification officer staff. The initial quarantine phase shall last for approximately 7 to 10 30 days during which time the inmate individual shall be oriented and initial assessments shall be made. Simultaneously, the offender records office shall begin development of the offender record file for the inmate.

Cor 402.02 403.02  Inmate Individual Orientation.

(a) Reception staff members shall on the first day of incarceration interview and orient the inmate individual as well as answer questions or direct the questions to the appropriate staff member(s). As a result of these interviews, management shall be alerted to any special need which requires attention prior to the quarantine initial classification interview board.

(b) Staff members shall provide the quarantine inmate individual with an oral presentation of the institutional rules and activities, diagnostic and assessment procedures, and a summary of the prison classification process to enable the inmate individual to prepare for the quarantine initial classification interview board as well as to start planning for his or her future progress through the system.

(c) A member of the investigations bureau, or designee, shall interview each quarantine inmate individual for the purpose of gathering information and assessing any special needs or concerns that the inmate individual might have.

Cor 402.03 403.03  Inmate Assessment Process.

(a) After initial reception, the inmate individual shall be placed in quarantine status in the appropriate housing unit.

(b) During the next 7 to 10 30 days, the inmate individual shall be seen by:

(1) The medical staff to assess his/her medical score; and

(2) A classification officer staff member to review assessment results and develop the pre-release plan assess his/her public risk score (P) and institutional risk score (I) which will be used to determine his/her custody level score.

(3) Behavioral health staff;

(4) Program staff;

(5) Education staff; and

(6) Career and technical education staff;
(c) There shall be 5 custody levels as follows:

(1) C-1 or community corrections;
(2) C-2 or minimum custody;
(3) C-3 or medium custody;
(4) C-4 or close custody; and
(5) C-5 or maximum custody.

(d) Custody level shall be determined by the intersection of P and I scores as designated in Table 402-1, Custody Level Matrix.

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(e) Individuals who demonstrate behavior(s) that reception staff might be deemed a suspect to be mental health risk related shall be evaluated by the chief of mental health or designee to assess a mental health score special housing needs.

(f) A quarantine interview of each inmate individual shall be conducted by a classification officer staff member or designee to:

(1) Determine custody status;
(2) Determine a housing assignment for the next 21 days; and
(3) Initiate the pre-release process.

(g) Pre-trial detainees, immigration detainees and federal detainees shall not have pre-release plans developed due to their un-sentenced status but shall be assigned an initial classification score at the time of their quarantine initial classification interview board which shall govern their custody level, housing assignment and work assignment throughout their stay unless their sentencing status changes.

(h) Inmates Individuals who transferred from other jurisdictions to serve their sentence shall have a pre-release plan developed following the same procedures as sentenced New Hampshire inmates individuals but all decisions involved in this plan that require approval by the sending jurisdiction shall be subject to such approval before any change in status is made.
Cor 402.04 403.04 Initial Housing Assignment.

(a) Initial housing assignments shall be determined by the inmate’s overall classification score.

(b) Public risk, which relates to an inmate’s escape potential, and if he/she does escape what danger he/she would present to the public, shall be determined by the following 9 factors assessed independently on a scale of one to 5 in arriving at the public risk score:

1. Extent of violence in current offense;
2. Use of weapon in current offense;
3. Escape history;
4. Violence history;
5. Nature of sexual offense, if applicable;
6. Confinement history;
7. Sentence length;
8. Detainer status; and
9. Substance abuse history.

(c) The institutional risk rating shall be determined on a scale of one to 5 using the following 9 factors:

1. Prior institutional adjustment;
2. Protective custody needs;
3. Community stability;
4. Inmate Individuals cooperativeness;
5. Probation/parole adjustment;
6. Security threat groups;
7. Drug trafficking;
8. Urine analysis; and
9. Urine testing refusals.

(d) Inmates Individuals shall not be assigned a classification score lower than C-3 if:
(1) They are sentenced to life without parole;

(2) They have a public risk rating of 5 which signifies they are inmates individuals who are an extreme public risk;

(3) They require special consideration because of the heinous character of their offenses; or

(4) They require special consideration because of their extremely violent criminal history.

(e) Death sentence inmates individuals shall:

(1) Not be assigned a classification score lower than C-5 at initial classification;

(2) Not be eligible for re-classification lower than C-5 and thus not be subject to re-classification hearings; and

(3) Be afforded all the same access to programs, recreation and other services as afforded to other C-5 inmates.

(f) If an inmate individual has an initial classification score of C-2 or lower, the classification officer shall, after the pre-release plan is complete, recommend to the warden/superintendent administrator of inmate classification and offender records, direct placement to a housing unit designated for C-2 inmates.

(g) In order to provide the consistency that is desired from this objective classification system, the classification officer staff shall use all the available information to make the appropriate initial housing designation to avoid too frequent changes. In cases where inmate’s individual’s records are missing information upon which to classify them to their least restrictive custody status, as well as maintain the appropriate security level, the inmate individual shall be assigned to the unit that provides the most suitable security according to the information available. Upon receipt of additional information that indicates a review in custody status is necessary, a rehearing shall be scheduled promptly within 30 days.

Cor 402.05 Notification to Inmates.

(a) The classification officer shall provide written notice to the inmate of the preliminary score and provisional designation for the remainder of the diagnostic period.

(b) The inmate shall be provided with the following classification information:

(1) Overall classification score;

(2) Facility designation;

(3) Notice that the commissioner shall remove any inmate from an approved plan, at any level of custody, at any time if in his/her opinion that placement might jeopardize the safety, security or orderly operation of the institution; and
(4) That the individual plan shall be a recommended course of action for an individual inmate and does not bind the department to automatically grant movement forward in custody levels, reduced custody, recommend parole or any alternative program.

Cor 402.06 403.05 Assessments.

(a) The following assessments, based on criteria outlined in the classification handbook, shall be made to determine classification and need level scores:

1. P-score or public risk;
2. I-score or institutional risk;
3. M-score or medical;
4. MBH-score or mental health, including both social intake and psychological;
5. T-score or treatment and programming, including drug, alcohol and sexual offender needs, psychiatric, individual and group counseling;
6. E-score or education level;
7. V-score or vocational; and
8. W-score or work skill.

(b) During the 21 days after the inmate individual is assigned a housing unit, the inmate individual shall be observed in individual and group situations for the purpose of assessing and diagnosing individual need areas through testing, evaluation and interviews.

(c) The unit team shall complete a quay sorting form, pursuant to Cor 402.07, below, approved Prison Rape Elimination Act (PREA) assessment shall be completed within 72 hours of an inmate’s individual’s arrival at the prison to determine the cell/pod/tier assignment for each inmate assigned to its unit. The quay system PREA assessment shall provide a process whereby inmates individuals are assessed through review of past behaviors, staff observations and inmate interviews to determine type and compatibility for housing assignments within a designated living unit. Thereafter the inmate’s individual’s quay score PREA assessment shall be updated at a minimum of once a year.

(d) The quay categories used shall be as follows:

1. Group I or aggressors;
2. Group II or prey; and
3. Group III or normal.

(e) A group I inmate shall only be assigned a cell with another group I inmate or with a group III inmate.
(f) A group I inmate shall never be assigned a cell on the same pod or tier as a group II inmate.

(g) A group II inmate shall only be assigned a cell with another group II inmate or with a group III inmate.

(h) A group III inmate shall be assigned a cell with another group III inmate or with a group I or II inmate.

Cor 402.07 Quay Sorting Form.

(a) The correctional counselor/case manager shall supply on the quay sorting form the following information:

1. Inmate’s name;

2. A plus mark in column A for each of the following categories that apply to the inmate:
   a. Violent crime including rape;
   b. At least 3 or more arrests and/or incarcerations plus the instant offense;
   c. History of violence;
   d. At least 4 or more disciplinary reports within a 12 month period;
   e. Aggressive and/or violent behavior;
   f. Escape or attempted escape; and
   g. Has victimized others while in confinement;

3. A plus mark in column B for each of the following categories that apply to the inmate:
   a. Non-violent crime or other sexual crime;
   b. No prior record;
   c. Prior protective custody status;
   d. Psychiatric or suicide history; and
   e. Eighth grade education or less or signs of inability to make rational decisions;

4. Totals of the plus marks in columns A and B, respectfully;

5. Quay group assignment based on (b), below;

6. Whether an override was applied, pursuant to (b) (1), below; and
(7) Housing unit assignment.

   (b) Inmates shall be assigned to a quay group based on column A and B totals as follows:

   (1) High column A totals shall override high column B totals;

   (2) Those inmates with 3 or more plus marks in column A shall be assigned to group I;

   (3) Those inmates with 3 or more plus marks in column B shall be assigned to group II; and

   (4) All other inmates shall be assigned to group III.

   (c) The correctional counselor/case manager shall:

      (1) Sign and date the form; and

      (2) Forward it to the housing unit manager.

   (d) The housing unit manager shall:

      (1) Review the form;

      (2) Sign and date the form; and

      (3) Forward the form to the receiving housing unit within 72 hours of the inmate’s transfer.

Cor 402.08 403.06 Documentation and Processing of Individual Pre-Release Plans.

   (a) Upon completion of diagnostic and need assessments, data shall be assessed and compiled by the case management classification staff for the purpose of developing the individual pre-release plan. Program and treatment needs shall be determined and defined by mental behavioral health, medical, educational, vocational and relevant program staff.

   (b) The correctional counselor/case manager classification staff or designee shall write the pre-release plan.

   (c) The plan, based on assessed needs shall include applicable:

      (1) Programs;

      (2) Goals;

      (3) Objectives; and

      (4) Electives.

   (d) The completed plan shall be signed by the inmate’s, and the classification staff member.
(1) Correctional counselor/case manager; and

(2) Unit manager.

(e) The completed plan shall then be forwarded to the pre-release supervisor, administrator of inmate classification and offender records for review.

(f) If the pre-release supervisor finds the program portion of the plan is relevant to the inmate's needs, the supervisor shall forwarded the plan to the classification officer for review.

(gf) If the pre-release supervisor or the classification officer, administrator of inmate classification and offender records considers the plan not to be relevant to the inmate's individual's program needs in accordance with the assigned classification needs scores, it shall be returned to the author of the plan for further review or clarification.

(h) If the plan is acceptable to both the pre-plan supervisor and the classification officer, the inmate shall be scheduled for an initial classification hearing.

Cor 402.09 403.07 Initial Classification Hearing.

(a) The inmate’s individual’s initial classification hearing shall be before the initial classification board facilitated by a classification staff member.

(b) The inmate’s individual’s participation shall be mandatory.

(c) The board shall be comprised of:

(1) A member of the classification staff or designee as chair;

(2) The unit manager of the inmate’s assigned housing unit or designee; and

(3) A member of the program staff.

(dc) The board classification staff member shall at the initial hearing:

(1) Review and discuss the inmate’s individual’s assessments and pre-release plan; and

(2) Consider additional or new information involving public or institutional risk ratings to determine whether the inmate’s overall C score assigned at the quarantine classification interview remains appropriate;

(3) Assign a new C score in accordance with the reclassification process based on the new or additional information;

(4) Make a recommendation for a reduction in the C score level, if appropriate; and

(52) For inmates individuals with victim notification requirements inform the victim services coordinator when the board recommends assignment to a prison at a location other than the facility in which the inmate individual was received.
(ed) The inmate individual shall sign the pre-release plan.

(fg) If the inmate individual refuses to sign the completed plan, there shall be no consequence to him/her. The plan shall simply be processed through appropriate channels, with a notation that the inmate individual has refused to sign it.

(gf) After the facility housing designation is made, the classification officer staff member of the designated facility shall:

1. Recommend assignment to various programs within the available resources for that particular facility based upon the inmate's individual's pre-release plan; and

2. Make a recommendation for a job assignment based upon the needs of the institution and the inmate's individual's needs and skills.

(hg) Job assignment shall be mandatory unless the facility’s medical department certifies that the inmate individual is medically precluded from working.

(ih) It shall be the responsibility of the inmate individual to complete all necessary programs before being considered for movement forward in custody levels including reduced custody programs.

(ji) The inmate individual shall upon successful completion of any program inform their case manager so that appropriate documentation can be made on the pre-release plan held in the unit and the offender file.

(kj) Additions to, deletions from or changes in an approved plan, after plan implementation, to modify certain component and program areas to better meet inmate individual needs shall be based on factual, objective documentation, such as notification to offender records of active detainers or warrants or known pending charges, receipt of negative background information, minor or major disciplinary reports, written documentation from mental behavioral health or changes in mental behavioral health status, drug, alcohol or sex offender needs. These changes shall only be made by the classification officer staff after consultation with appropriate staff. Program needs that were not originally diagnosed during the inmate's individual's incarceration period shall be justified to make modifications to a plan.

(lk) The classification officer staff or designee of each facility shall inform the victim services coordinator, upon completing classification boards for inmates individuals who have victim or witness notification requests, when inmates individuals are being considered for the following custody changes:

1. From medium (C3) to minimum custody (C2);
2. From minimum custody (C2) status to work release or administrative home confinement (C1) status;
3. From C1 or C2 to any higher custody status;
4. Transfer to another in-state facility;
5. Transfer to or from a county house of correction; and
(6) Transfer to or from an out-of-state prison.

(ml) When there is an escape from custody from any department facility, the captain’s shift commander’s office shall determine if there is an obligation to notify a victim or agency and notify the victim services coordinator accordingly.

Cor 402.10 403.08 Notification to Inmate of Classification Results and Pre-release Plan.

(a) The classification officer shall notify the inmate of the initial classification results and pre-release plan on the “classification authorization form and pre-release planning form”.

(b) The classification officer shall notify the inmate of his pre-release plan on a pre-release plan form.

Cor 402.11 403.09 Classification Authorization and Pre-release Planning Form.

(a) The classification officer staff shall supply the following on the “classification authorization and pre-release planning form”:

(1) Name and cell number of the inmate individual;

(2) Inmate’s Booking number;

(3) Date of birth;

(4) Overall classification score;

(5) Facility or unit designation recommendation;

(6) Program assignments and recommendations;

(7) Job assignment;

(8) Timeframe for review of classification plan;

(9) Notice that the commissioner has the authority to remove any inmate individual from any approved plan, at any level of custody, at any time if in his or her opinion the placement might jeopardize the safety, security or the orderly operation of the institution;

(10) Notice that the individual plan is a recommended course of action for an individual inmate and shall not be binding on the department to grant movement forward in custody levels, reduced custody, or recommend parole or special alternative programs;

(11) Referrals; and

(12) Comments, if applicable.

(b) The classification officer staff member shall date and sign the “classification authorization and pre-release planning form”.
The individual shall date and sign the “classification authorization and pre-release planning form”.

Cor 402.12 Pre-Release Plan Form.

(a) The pre-release plan form shall be a 4 page carbonless copy form with white, canary, pink and goldenrod colored pages.

(b) The plan preparer shall supply the following on the pre-release plan form:

(1) The preparer’s name;

(2) The inmate’s:
   a. Name;
   b. Identification number;
   c. Offense for which he/she was committed;
   d. Minimum and maximum sentence received;
   e. Date of birth; and
   f. Whether the inmate is under 21 years of age; and

(3) Whether any of the case plan needs outlined in (c), below, are:
   a. Court recommended;
   b. Required, based on an assessment of the inmate’s individual needs;
   c. Recommended, based on an assessment of the inmate’s individual needs;
   d. Elective;
   e. Not applicable to this inmate’s assessed needs; or
   f. Have been completed by this inmate; and
   g. The date that the case plan needs were completed by the inmate.

(c) The following case plan needs shall be addressed:

(1) Mental health needs;

(2) Substance abuse programs;
(3) Summit house residential substance abuse program;

(4) Substance abuse self-help;

(5) Sex offender program;

(6) Education programming;

(7) Vocational training;

(8) Pre-release class;

(9) Disciplinary free; and

(10) Other.

(d) The inmate shall sign and date the pre-release plan form.

(e) The inmate, by signing the pre-release plan form, shall acknowledge the following:

1. That he/she has reviewed the plan and agrees to work on it during his/her stay at any departmental facility;

2. That the individual plan is a recommended course of action for him/her and is not binding on the department to automatically grant movement forward in custody levels, reduced custody or recommended parole;

3. That identified needs classified as required or recommended are issues that he/she should deal with as part of his/her self-improvement; and

4. That if he/she fails to participate in a required or recommended program he/she shall show cause at a reduced custody hearing why he/she did not participate.

(f) The pre-release plan form shall also be signed and dated by the following individuals:

1. The plan reviewer;

2. The classification supervisor; and

3. The warden.

(g) The completed and signed pre-release plan shall be distributed as follows:

1. The white copy shall go to the offender records office;

2. The canary copy shall go to the inmate;

3. The pink copy shall go to the housing unit case manager; and
(4) The goldenrod copy shall go to mental health.

Cor 402.13 403.10 Appeal of Classification Board Decisions.

(a) An inmate individual may appeal the classification board results to the warden administrator of inmate classification and offender records by completing and submitting an “inmate request slip form” within 15 days of receipt of the results.

(b) If the appeal is denied the inmate individual may bring a further appeal to the commissioner on an “inmate request slip” submitted within 15 days of receipt of the denial.

(c) The inmate individual shall not appeal to the commissioner until receiving a response from the warden administrator of inmate classification and offender records.

(d) The commissioner's decision shall be final.

Cor 402.14 403.11 Inmate Request Slip.

(a) The “inmate request slip” form shall be the exclusive form that inmates individuals may use to communicate written requests to departmental employees.

(b) The “inmate request slip” form shall be a 3-page carbonless copy form with white, canary and pink colored pages.

(c) An inmate individual who wishes to communicate with a staff member shall supply on the “inmate request slip” form the following information:

(1) The date;

(2) His/ or her last name, first name and middle initial;

(3) His/ or her inmate number;

(4) His/ or her housing unit and cell number;

(5) His/ or her work shift; and

(6) A brief description of the issue to which he/ or she wants a staff response.

(d) The inmate individual shall forward the request to his/ or her housing unit supervisor/designee, security lieutenant or correctional counselor/case manager for prompt attention.

(e) The housing unit supervisor/designee, security lieutenant or correctional counselor/case manager upon receipt of the inmate’s request slip shall either:

(1) Respond to the request by supplying on the request slip form the following information;

   a. The inmate’s individual’s name;
b. The inmate’s individual’s housing unit and cell;

c. The date;

d. The responding staff members name; and

e. The response; or

(2) Date and forward the request to the appropriate staff member for a response.

(f) If the request is forwarded to another staff member for a response, that staff member shall supply on the request slip the information outlined in (e)(1), above.

(g) The response to the inmate either pursuant to either (e)(1) or (f), above shall be forwarded to the inmate individual.

(h) A member of the inmate’s individual’s housing unit staff shall hand the response to the inmate individual.

(i) The inmate individual upon receipt of the response shall:

(1) Sign the inmate request form to acknowledge receipt;

(2) Retain the canary copy for his-or her records; and

(3) Return the white and pink copies to the housing unit staff.

(j) The housing unit staff member shall upon receipt of the copies:

(1) Forward the pink copy to the staff member who responded to the inmate’s individual’s request slip; and

(2) Forward the white copy to the offender records office for inclusion in the inmate’s individual’s file.

PART Cor 403 404 INMATE UNIT RECLASSIFICATION BOARD

Cor 403.01 404.01 Reclassification Hearings Unit Classification Boards.

(a) Inmate’s Individual’s housed out-of-state or in other facilities shall be subject to the reclassification procedures of that institution. That institution shall submit the proposed reclassification for approval by the New Hampshire department of corrections. The department shall approve the reclassification if the inmate individual would qualify for reclassification pursuant to Cor 400. Classification Boards for state inmates housed at county facilities may be done telephonically or electronically.

(b) Inmate’s Individual’s residing in a departmental facility shall be requested to attend reclassification hearings. After notification, if the inmate individual chooses not to participate, the inmate individual shall notify the unit team in writing.
(c) Each inmate individual shall attend a classification board at least on an annual basis.

(d) A recommendation for an unscheduled reclassification hearing might be made for an individual inmate by the unit manager supervisor of the inmate's individual’s housing unit or by the classification officer staff in cases where new information is obtained or in cases where the behavior of the inmate individual, either positive or negative, warrants earlier consideration.

(e) The schedule for standard reviews for reclassification shall be as follows:

(1) C-5 inmates individuals assigned to the special housing unit shall be reviewed every 3 months by the unit team, except for death sentence inmates per Cor 402.04(e)(2);

(2) C-4 inmates individuals shall be reviewed every 6 months, or earlier, if considered appropriate, pursuant to (f), below, by the unit team or the classification officer;

(3) C-3 inmates individuals shall be reviewed every 6 months, or earlier, if considered appropriate, pursuant to (f), below, by the unit manager supervisor or the classification officer staff, for those inmates individuals with less than 3 years to their minimum parole date, except for those with a consecutive sentence to serve;

(4) C-3 inmates individuals shall be reviewed every year, or earlier, if considered appropriate pursuant to (f), below, by the unit manager supervisor or the classification officer staff, for those inmates with more than 3 years to their minimum parole date or who have a consecutive sentence to serve; and

(5) C-2 inmates individuals shall be reviewed every 6 months, or earlier, if considered appropriate, pursuant to (f), below, by the unit manager supervisor or the classification officer staff, for those inmates individuals with less than 3 years to their minimum parole date, except for those with a consecutive sentence to serve

(f) Reviews for reclassification shall be held earlier than the schedule in (e), above, based upon, but not limited to the following:

(1) Changes in the inmate’s individual’s disciplinary record;

(2) Court orders;

(3) Changes in the inmate’s individual’s sentence;

(4) New sentences;

(5) Changes in the inmate’s individual’s physical health; and

(6) Changes in the inmate’s individual’s mental behavioral health.

(g) The unit team individual’s case manager shall automatically schedule the inmate individual for reviews in accordance with the time frames above and provide written notification to the inmate individual that a reclassification hearing has been scheduled. Inmates Individuals who believe they have
legitimate reasons for an earlier review may request review consideration to the unit board supervisor via an inmate request slip.

(h) It shall be the unit team’s case manager’s responsibility one week prior to the reclassification hearing to have the inmate’s individual’s individual pre-release plan updated and available for review by the classification board. No reclassification reconsideration shall be made without written documentation for review at the hearing. It is the inmate’s individual’s responsibility to inform the case manager of completion of any program so appropriate notations can be made on the plan held in the unit and offender records.

Cor 403.02 404.02 Notification to Inmates.

(a) The classification officer staff shall notify the inmate in writing of the classification board results on the “unit classification authorization and pre-release planning form” pursuant to Cor 402.09 (a), above.

(b) The warden administrator of inmate classification and offender records shall override the overall classification score by one level in either direction if in his or her opinion the placement might jeopardize the safety, security or the orderly operation of the institution. When the warden administrator of inmate classification and offender records overrides the classification score in a manner which causes an inmate individual to either remain in or transfer to a more restrictive status than the inmate individual would be entitled to under the normal operation of the classification system, the inmate individual may request, via inmate request slip, a written explanation of the facts relied upon and the basis for override.

(c) The classification board results may be appealed pursuant to Cor 402.12 403.10, above.

Cor 403.03 404.03 Job Changes.

(a) Inmates Individuals shall be assigned to a work or training program unless medically unable to participate.

(b) Assignments to work and training areas shall be made through the following:

(1) Formal classification board;

(2) “Job change request’s form completed and approved by the classification officer staff during one of the quarterly job fairs; and

(3) “Job change request” form approved by classification officer staff based on institutional needs.

(c) Assignment to a specific job shall be based on the following:

(1) Classification score of inmate individual;

(2) Needs of the institution; and

(3) Needs and skills of the inmate individual.
Available areas of work and training shall be as follows:

1. Correctional industries;
2. Custodial assignments;
3. Service related jobs in the kitchen, laundry, warehouse or maintenance department;
4. Vocational training;
5. Education; and
6. Reduced custody programs.

Job fairs shall be held quarterly. This process shall allow inmates individuals to request a change in their current job assignment without going through formal classification hearings for those jobs that do not affect their overall classification scores. Those inmates individuals not wishing or not being recommended to stay in their present assignment shall attend the job fair to seek other employment.

To seek a job change the inmate individual shall complete a “job change request” form pursuant to Cor 4034.04, below.

No staff member shall sign-off a job change request to any state certified vocational training program unless it has been verified that the inmate has:

1. Achieved a minimum grade level of 7.5 in reading and math on the tests of adult basic education (TABE);
2. Earned a verified high school diploma or GED HiSET certificate; or
3. Successfully completed all pre-requisite courses.

The classification officer staff shall reassign an inmate individual to any job that needs to be done at a departmental facility.

The inmate individual may appeal the decision for an unrequested job change on an “inmate request slip” to the classification officer staff stating the reasons for his/her disagreement. If the classification officer staff upholds the job change, an appeal may be made to the warden administrator of inmate classification and offender records on an “inmate request slip”.

Cor 403.04 404.04 Job Change Request Form.

An inmate individual who wants a job change shall supply the following on a “job change request” form:

1. Date, name and identification number;
2. Current housing unit;
(3) Present job;

(4) Proposed job; and

(5) Reasons for the request.

(b) The inmate individual shall present the form to his/ or her present job supervisor.

(c) The inmate’s individual’s present job supervisor shall supply on the form comments on the inmate’s individual’s job performance and behavior on the job.

(d) The present job supervisor shall then:

(1) Sign and date the form; and

(2) Return the form to the inmate individual.

(e) The inmate individual shall present the form to his/ or her proposed job supervisor.

(f) The proposed job supervisor shall supply on the form comments as to whether there is a position available for the inmate individual.

(g) The proposed job supervisor shall then:

(1) Sign and date the form; and

(2) Return the form to the inmate individual.

(h) The inmate individual shall present the form to his/her unit manager supervisor.

(i) The unit manager supervisor shall supply on the form the following information:

(1) Comments on the proposed job change; and

(2) Whether the job change request is approved.

(j) The unit manager supervisor shall then:

(1) Sign and date the form; and

(2) Return the form to the inmate individual if the inmate individual plans to attend the next quarterly job fair; or

(3) Forward the form to the classification officer staff.

(k) The classification officer staff upon receipt of the form shall supply the following on the form:

(1) Comments on the proposed job change; and
(2) Whether the job change request is approved.

(i) The classification officer shall then:

(1) Sign and date the form; and

(2) Forward copies of the form to the following:

a. Inmate Individual;

b. Present job supervisor;

c. Proposed job supervisor;

d. Unit manager supervisor; and

e. Offender records.

PART Cor 404 405 SPECIAL STATUSES

Cor 404.01 405.01 Protective Custody.

(a) The department shall provide a protective custody status for those inmates individuals that face a verifiable danger of being physically harmed by another inmate individual or inmates individuals.

(b) Protective custody may be sought by the an individual inmate. The inmate individual shall demonstrate that he or she faces danger of being physically harmed by describing the nature of the harm and identifying the inmate individual or inmates individuals who have threatened him or her.

(c) Inmates in quarantine status may submit request for consideration for protective custody to the unit classification board supervisor. The approving unit manager classification officer shall schedule that inmate individual for a protective custody review board.

(d) If an inmate individual housed in general population has a rational fear for his or her safety he or she shall report his or her concern to a staff member who shall notify the shift supervisor.

(e) The shift supervisor shall immediately place the inmate individual in pending administrative review status pending protective custody review pursuant to Cor 404.03 405.03 below. A report shall be completed and distributed to the shift commander, the unit manager supervisor of the inmate’s individual’s housing area and the classification officer staff before the end of the shift supervisor’s tour of duty that day.

(f) The approving unit manager supervisor shall advise the individual’s case manager to interview the inmate individual requesting protective custody and attempt to mediate the issue. If the case manager believes that protective custody might be appropriate, the case manager shall file a report with the approving unit supervisor chair of the protective custody review board.
(g) The approving unit supervisor, chair of the protective custody review board, shall schedule a protective custody review board. The inmate shall be notified 24 hours in advance of the protective custody review board.

(h) The protective custody board shall consist of:

1. The shift commander or designated shift supervisor;
2. A member of the department’s investigation bureau; and
3. A unit manager. The approving unit’s supervisor/designee designated by the administrator of security.

(i) An inmate individual may object to the presence of a particular officer on the review board based on a disciplinary infraction involving the officer and the inmate individual within 3 months immediately preceding the hearing.

(j) The board in reaching its decision shall consider the following:

1. What is in the best interest of the health, welfare and safety of the inmate persons under Departmental control population;
2. All evidence relevant to the inmate’s request to be placed in or to continue in protective custody status;
3. Any alleged conflict the inmate individual might have with other inmates currently confined in the institution;
4. Whether the inmate individual currently would be in any danger should the inmate individual be returned to the general population; and
5. Whether the inmate individual specified a verifiable danger and named the individual or individuals who he or she feared would cause him or her physical harm.

(k) An inmate individual shall not be refused protective custody status or removed from such status based on disciplinary reasons or reasons unrelated to the safety of the inmate individual or of other inmates in that status.

(l) The inmate individual shall have a right to appear at his or her hearing, testify, call witnesses and present relevant evidence. However, the protective custody review board shall exclude any inmate individual witness from testifying if the presence of that witness at the hearing might pose a danger to prison security, the safety of the inmate individual(s) or the testimony of the inmate individual witness is irrelevant or cumulative. In no event shall the board require an inmate individual to offer evidence that would incriminate himself or herself.

(m) The chair of the review board shall issue a written recommendation to the warden administrator of inmate classification and offender records, who shall make the final decision, which shall include the board’s conclusions and the facts relied upon in arriving at such conclusions.

(n) If protective custody status is recommended, the board shall recommend a housing placement based on the nature of the threat to the inmate individual. The inmate may:
(1) Remain in or be returned to the same or another housing unit in general population;

(2) Be transferred out of state;

(3) Be transferred to a county facility; or

(4) Be transferred to a different departmental facility.

(o) Verbal notification shall be provided to the individual by classification staff. Due to the potential danger to the individual involved by possessing protective custody documents written notification shall be provided to the individual inmate of the warden's administrator of inmate classification and offender records final decision only if requested by the individual by the classification board.

(p) If the inmate individual is dissatisfied with the decision of the review board the inmate individual may, within 7 days, appeal to the warden administrator of inmate classification and offender records on an “inmate request slip” stating the reasons why this status should be granted. The standards governing the decision on appeal shall be identical to the standards governing the review board. During the pendency of the appeal the inmate individual shall remain in pending administrative review status.

Cor 404.02 405.02 Secure Psychiatric Unit (SPU) Assignments.

(a) An inmate person under Departmental control shall be a candidate for transfer to SPU if the inmate individual is:

(1) Classified at level MH-5, a mental health score of 5, and is of danger to self or others;

(2) Observed by a mental health clinician engaging in behavior that would qualify the inmate for reclassification to level MH-5 and is dangerous to self or others;

(3) Certified by a psychiatrist psychiatric provider as needing management or treatment in a secure psychiatric facility; or

(4) Ordered transferred by the superior court of the sentencing jurisdiction.

(b) If a court order is issued, delivery of a copy of the order to the director administrator of the secure psychiatric unit shall initiate the transfer.

(c) Whenever any of the necessary criteria listed in the section (a), above are met, the chief of the mental administrator of the behavioral health unit or designee, in consultation with the director administrator of medical and forensic services, shall initiate proceedings by completing a transfer of a person under Departmental control at a correctional facility inmate to the secure psychiatric unit for mental behavioral health treatment services pursuant to RSA 623:1 form, pursuant to Cor 404.03 405.03, below.

(d) The completed transfer form shall be forwarded to the SPU prior to the transfer of the inmate individual so that admission arrangements can be made.
(e) If a person in the custody of the commissioner needs emergency treatment and requires immediate transfer to the SPU, the due process review shall occur within 24 hours following the transfer.

Cor 404.03 405.03 Transfer Of A Person Under Departmental Control at a Correctional Facility Inmate To to The Secure Psychiatric Unit For Mental Behavioral Health Treatment Pursuant To RSA 623:1 Form.

(a) The chief of mental administrator of behavioral health or designee initiating an person under Departmental control at a correctional facility inmate transfer to the SPU shall supply the following on the “transfer of a correction facility inmate to the secure psychiatric unit for mental health treatment services pursuant to N.H. RSA 623:1” form:

1. Inmate’s Individual’s name;
2. Correctional facility name;
3. Address; and
4. His/ or her name and title.

(b) The transfer form shall contain a notice to the inmate individual that includes:

1. A statement that he/ or she is being considered for transfer to the SPU pursuant to RSA 623: 1 for the purpose of receiving mental behavioral health treatment;
2. A list of the criteria pursuant to RSA 623:1 for SPU admission;
3. Definitions of the terms “mental illness” and “harm to self or others” for the physician’s provider’s certification; and
4. A statement that he/ or she has due process rights, which include the opportunity for a hearing.

(e) The physician licensed provider who examines the inmate individual shall supply the following on the transfer form:

1. His/ or her name;
2. Inmate’s Person recommended for transfer name; and
3. Date on which he/ or she personally examined the inmate individual.

(d) The physician licensed provider shall then:

1. Sign and date the form; and
2. Certify by his/ or her signature that in his/her opinion the criteria for transferring the inmate individual to the SPU have been met.
(e) An **inmate individual** who agrees to be transferred to the SPU shall sign and date a waiver of his/ or her right to a hearing.

(f) An **inmate individual** who objects to being transferred to the SPU shall sign and date page 3 of the “transfer of a correction facility inmate to the secure psychiatric unit for mental health treatment services pursuant to N.H. RSA 623:1” form to a request for a hearing.

(g) If a hearing is held the independent decision maker shall supply the following on the form:

1. His/ or her finding of facts;
2. Rulings; and
3. Decision.

(h) If the independent decision maker concludes that the **inmate individual** presently meets the criteria for transfer, the warden or **director administrator** of medical and forensic services shall approve the transfer by signing and dating page 5 of the “transfer of a correction facility inmate to the secure psychiatric unit for mental health treatment services pursuant to N.H. RSA 623:1” form.

(i) The **correctional officer staff member** who serves a copy of the transfer “transfer of a correction facility inmate to the secure psychiatric unit for mental health treatment services pursuant to N.H. RSA 623:1” form on the **inmate individual** showing the decision of the independent decision maker shall supply the following on the form:

1. **Inmate’s Individual’s** name; and
2. Date and time of service on the **inmate individual**.

(j) The **correctional officer staff member** shall then:

1. Sign page 3 of the “transfer of a correction facility inmate to the secure psychiatric unit for mental health treatment services pursuant to N.H. RSA 623:1” form; and
2. Certify by his/ or her signature that a copy of the “transfer of a correction facility inmate to the secure psychiatric unit for mental health treatment services pursuant to N.H. RSA 623:1” form was served on the inmate.

Cor 404.04 405.04 Pending Administrative Review (PAR).

(a) Pending administrative review” shall be a temporary classification status in which an **inmate’s** a person under Departmental control is placed in which his/ or her current classification status is suspended to allow investigation of various issues as delineated in (e), below.

(b) Pending administrative review shall be imposed on an **inmate individual** when circumstances arise involving the **inmate individual** that might place the safety, security and orderly operation of the facility in jeopardy or for any other valid penological purpose. It shall be imposed only for the minimum amount of time necessary when an **inmate’s individual’s** continued presence in the reduced custody or general population presents a clear danger to the **inmate individual**, others, or facility safety.
(c) When an inmate individual is involved in an incident and, in the opinion of the on-duty shift supervisor, it is necessary that the inmate individual be placed in pending administrative review to prevent further incidents, or because of the seriousness of the incident, the shift supervisor shall advise the inmate individual of the imposition of pending administrative review and have the inmate individual moved to the housing unit designated for that purpose.

(d) The responsible officer shall prepare a pending administrative review slip, pursuant to Cor 404.07, below, forward it to the shift supervisor and file a report for investigation and distribution before going off duty. The shift supervisor shall sign the slip, give a copy to the inmate individual and forward copies to the investigations bureau, the offender records office and classification. The pending administrative review slip shall indicate to the inmate individual that a written appeal of this status may be made on an “inmate request slip” to the warden within 48 hours.

(e) The various categories of administrative review shall be designated as follows in Table 404-1, Administrative Review Designation.

<table>
<thead>
<tr>
<th>Category</th>
<th>Designation</th>
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<tbody>
<tr>
<td>Classification Administrative</td>
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<td>Discipline or Investigation</td>
<td>Administrative Review-Pending Investigation</td>
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<td>Administrative Review-Pending Reclassification</td>
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<tr>
<td>Transfer</td>
<td>Administrative Review-Pending Transfer</td>
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</tbody>
</table>

(f) The classification officer sending unit staff shall schedule an administrative review board meeting before the classification board within 7 days. If there is no change in the inmate's individual’s pending administrative review status, a meeting every 7 days thereafter shall be scheduled. These weekly meetings shall not be classification boards administrative review board, but administrative reviews. When the PAR status is resolved, a classification hearing administrative review board shall be scheduled.

(g) For inmates individuals with victim notification required, the classification officer staff or designee shall inform the victim services coordinator when the board recommends reclassification to a higher custody level, reclassified to minimum custody from work release or AHC or reclassified to any custody level inside the secure perimeter.

(h) The classification administrative review board shall review the facts and circumstances regarding the imposition of pending administrative review and shall recommend to the warden administrator of inmate classification and offender records that the inmate individual be released from pending administrative review or recommend the continuation of pending administrative review until such time as a disciplinary hearing can be scheduled. If the classification administrative review board concludes that the inmate’s individual’s return to the prison population would not pose a clear danger to institutional security or to the inmate’s individual’s well-being, the board shall recommend to the warden administrator of inmate classification and offender records that the inmate be released from PAR status. If the board determines that release of the inmate individual from secure housing would pose a clear
threat to the inmate, others, or to institutional security it shall recommend the inmate be retained in secure housing pending re-classification administrative review.

(i) Inmates Individuals retained in pending administrative review shall be reviewed by the classification board sending unit supervisor/designee at 7 day intervals and shall be advised of the reason for any delay in obtaining a hearing or recommended action, as well as the approximate date by which they can expect the action to be completed.

(j) Inmates Individuals in pending administrative review shall have the same cell furnishings offered the other inmates individuals in the same housing unit unless reduction or restriction of certain items are necessary to maintain security control or to prevent inmates individuals from harming themselves or others.

(k) Inmates Individuals retained under this policy in pending administrative review status shall be afforded the same recreation, work, education, and other activities as are other inmates individuals in the same housing unit unless security of the institution mandates otherwise.

Cor 404.05 405.05 Pending Administrative Review Notification and Review Slip Form.

(a) The officer who is placing an inmate individual in Pending Administrative Review (PAR) status shall supply the following on the “PAR notification and review form slip”:

1. The date;
2. The inmate’s individual’s name and identification number;
4. The officer’s name; and
4. The PAR category as described in Cor 404.04 (e), above, in which the inmate is being placed.

(b) The officer shall sign the “PAR notification and review form” slip.

(c) The officer who delivers the “PAR notification and review form” slip to the inmate individual shall supply the following on the “PAR notification and review form” slip:

1. His name; and
2. The delivery date.

Cor 404.06 405.06 Medical Segregation.

(a) Medical segregation shall be imposed only by a doctor, psychiatrist or psychologist psychiatric provider or advance practice registered nurse, hereinafter called the medical authority, who upon examination of the inmate individual has determined that it is necessary to separate the inmate individual from the general population because the inmate individual might be contagious or a threat to his or her self or others because of his or her medical or mental condition.
(b) Medical segregation shall be imposed only for as long as necessary to resolve the medical or psychiatric concern. It may occur in any housing facility within the institution consistent with security requirements, and the medical needs of the inmate individual as determined by the medical authority. Items available to the inmate individual in the housing location may be limited or restricted by the medical authorities if necessary, pursuant to (g) below.

(c) Inmates Individuals in medical segregation may be restricted from work or participating in recreation by the medical authority if necessary, pursuant to (g) below. In each case the limitations associated with that condition shall be specified and shall become part of the inmate's individual's treatment folder health record.

(d) Inmates Individuals held in medical segregation for psychological reasons, or at their own request, shall visit with the psychiatrist, psychologist psychiatric providers or mental behavioral health counselor as determined by the medical authority. Such visits shall be for the purpose of monitoring or checking the inmate individual, providing therapy and treatment and determining on a regular basis whether the status should continue. That determination shall be made by the medical authority based on the authority's own examination and reports from the nurse healthcare staff.

(e) Upon initial examination and during the period of medical segregation the medical authority shall determine whether referrals or transfers should be made to other facilities or medical or psychiatric personnel.

(f) The medical authority shall keep medical records regarding imposition of the status, including recording the reasons for imposition of the status and what referrals, if any, to outside facilities were sought. The medical condition shall be regularly reviewed to insure that segregation is imposed only for the period absolutely required for valid medical and psychiatric reasons. The medical authority and the mental behavioral health counselor staff or nurse healthcare staff shall on a regular basis keep progress notes and indicate the reason for continuation of the status in the individual’s health record.

(g) An inmate individual placed in medical segregation shall retain all rights and privileges in consonance with the inmate’s individual’s custody grade including all personal property and participation in programs, unless the medical authority determines in his/her opinion that the exercise of a particular right or privilege by the inmate individual might jeopardize the medical treatment that the inmate individual is undergoing, in which case the medical authority shall prescribe in writing a partial or total curtailment of such rights and privileges.

Cor 404.07 405.07 Punitve Segregation.

(a) Punitive segregation shall be imposed on an inmate person under Departmental control by the disciplinary board as punishment for a specific disciplinary infraction after the inmate individual has been afforded a due process hearing in accordance with the disciplinary policies.

(b) Punitive segregation shall be imposed for up to 15 days at a time with a 24-hour break between any consecutive impositions. Inmates Individuals in punitive segregation shall have their privileges markedly reduced during this period of time.

(c) Inmates Individuals in punitive segregation shall be visited by a member of the medical or mental behavioral health staff on a daily basis to determine whether they have any medical complaints.

Cor 404.08 405.08 Temporary Confinement of Prisoner to Cell (TCC).
(a) When an inmate person under Departmental control becomes so hostile or agitated that opening the cell door might result in a violent incident, he or she shall be temporarily confined to his or her cell (TCC).

(b) The shift supervisor shall be notified immediately of the TCC.

(c) The shift supervisor shall, upon notice of the TCC:

   (1) Speak with the inmate individual in an attempt to resolve the situation;
   
   (2) Review the situation, including talking with any witnesses;
   
   (3) Advise the duty officer, warden or chief of security administrator on call if the situation is not resolved within 2 hours; and
   
   (4) Call a mental behavioral health worker if needed.

(d) If the TCC continues beyond one day, the warden shall evaluate whether the circumstances outlined in (a) above continue to be present and make a decision thereupon each day whether to continue the status.

(e) A classification board hearing shall be convened within 3 days if the inmate’s individual’s behavior does not allow the inmate to be released from the cell by that time.

(f) Use of TCC shall be documented in an incident report. Any limitations on property shall be documented and justified on the TCC log and no property or furnishing shall be removed unless the inmate is destroying property, attempts to set fire to those items, is assaultive, or self-destructive. An inmate’s individual’s clothes shall not to be removed unless absolutely necessary. An inmate’s individual’s underwear shall not to be removed unless the warden or designee finds that in light of the inmate’s individual’s condition the underwear might be used by the inmate individual to harm himself or herself or others. Any limitations on clothing shall be documented and justified on the TCC log.

(g) No inmate individual shall be placed in a stripped cell without an immediate referral and evaluation by mental behavioral health, and the condition shall continue only so long as is necessary.

(h) Inmates Individuals in temporary confinement shall not be let out of their cells for the ordinary recreation, showers or other activities enjoyed by inmate’s individuals who are tractable compliant. Since this status poses a serious hardship on an inmate individual, it shall continue only for the period of time necessary to insure the safety of the inmate individual or others.

APPENDIX

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<tr>
<th>RULE NUMBER</th>
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<tbody>
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</tr>
<tr>
<td>Cor 405.08</td>
<td>RSA 21-H:13, III(a)</td>
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