

Northeast Regional Corrections Center

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

Resident Handbook

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NERCC

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

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

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

RESIDENT RIGHTS

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

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

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

PRISON RAPE ELIMINATION ACT

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

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

- Notify any staff member (verbally or in writing).
- Tell your caseworker or probation officer.

- Call the PAVSA 24 hour crisis line (218-726-1931) free of charge, from any NERCC payphone.
- Report it directly to the police.

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

RESIDENT GRIEVANCE PROCEDURE

NERCC has a written grievance procedure which allows you to make a formal complaint if you believe your rights are being violated. Grievances are issues personally affecting residents in the areas of health, welfare or program services. This may include complaints about how you are treated, living conditions, and staff. You must attempt to resolve any concerns informally via the Resident Request Form system prior to pursuing the formal grievance process. Resident Request Forms are located in the Information Center. Grievance Forms may be obtained by asking a staff person.

When submitting a Resident Request Form, complete the form and place it in the Resident Request Form box. Be sure to print neatly and include all requested information. Complete only one form per issue; it will get directed to the proper person.

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

The staff receiving the completed Grievance Form from you shall sign and date that they have received it. It shall then be given to an Institutional Supervisor. An Institutional Supervisor shall respond to the written grievance within five (5) working days. Issues that cannot be grieved will be returned to you with a note to that effect. The Institutional Supervisor may need to do additional follow up to investigate the grievance. Once the grievance has been investigated, the Institutional Supervisor shall make a written response to you, explaining the decision.

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

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

SECURITY

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

You will be issued an identification (ID) card, which you will be required to wear at all times, except when you are sleeping. Your ID card must be visible and worn on your chest. If you lose or misplace your ID card, you must immediately inform staff. You will be assessed a \$2.00 fee to replace it. Tampering with your card or the zip ties will result in a Major Violation.

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

7:45 AM 11:20 AM 4:45 PM 10:30 PM

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

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

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

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

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

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

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

PROGRAM SERVICES

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

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

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

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

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

Following your crew leader’s directives at all times.

Being on time and prepared for Crew Checkout.

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

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

Wearing proper clothing and safety gear as required.

MONEY

Debit cards: Residents are issued a vending card after intake. Residents classified as secure will be issued a pin number instead of a vending card. The vending card enables you to purchase items from the vending machines. You may have up to \$30.00 placed onto your debit card from your trust account (limit of \$30.00 on your card at any given time). Once you transfer funds to your card, you will be unable to transfer it back to your trust account until your release.

Debit cards are the same as money; that is, they cannot be reimbursed if lost, stolen, or damaged. There is a \$2.00 fee for the replacement of a lost, stolen, or damaged vending card. Residents will not be reimbursed for vending machine malfunction or card user error.

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

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

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

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

PERSONAL PROPERTY

Each resident will be issued NERCC clothing upon intake. No personal property is allowed at NERCC on person. Any personal property worn to NERCC will be placed in storage.

NERCC is not responsible for lost, stolen, or damaged property. Residents are expected to report lost, stolen, or found property to NERCC staff as soon as possible. Any of your personal property left at NERCC after your release will be disposed of after 30 days.

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

NERCC ISSUED PROPERTY ALLOWED AT NERCC	
4 pants (Including 1 pair shorts, 3 pants)	eyeglasses or contacts (approved non-NERCC issued)
4 pairs of underwear	wedding ring (approved non-NERCC issued)
4 pairs of socks	letters and photos (approved non-NERCC issued)
3 shirts	
1 jacket or sweatshirt	
1 do-rag (NERCC issued only for \$2 purchase for sleeping use only)	

ADDITIONAL ITEMS ALLOWED IN YOUR POSSESSION	
razor (NERCC issued only)	pencils (NERCC issued only)
AM/FM radio with headphones (no MP3; no CD/cassette) / NERCC approved	NERCC vending items Nonperishable
clock (NERCC issued only)	toothbrush (NERCC issued only)
comb (NERCC issued only)	work boots (NERCC issued only)
orange multi-purpose shoes (NERCC issued only)	NERCC approved religious or treatment items
treatment and/or educational books / NERCC approved	phone/debit card (NERCC issued only)
medical necessities / NERCC approved	NERCC gloves (outdoor use only)
hat (crew use only) / (NERCC issued only)	clear pop bottles for water
NERCC issued identification	

Extra clothing may be issued to a resident by a crew leader upon their discretion and will be documented in JMS.

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

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

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

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

MEALS

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

MEDICAL SERVICES

A Registered Nurse is available to residents Monday through Friday 8:00 a.m. to 4:00 p.m. (excluding holidays). To see the nurse, you must sign up on the "nurse's list." The sign-up sheet will be available outside the nurse's office 6:00 a.m. to 7:30 a.m.

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

Sick List: If you are unable to work or go to school due to illness or injury, you must sign up 6:00 a.m. to 7:30 a.m. to see the nurse as described above. You should specify on the sheet that you are requesting Sick List. Sick List must be approved by the nurse. After a request is made, you must return to your bunk until seen. You are still required to participate in room inspections, unless approved by the posted upstairs corrections counselor to not participate in room inspection.

If the nurse places you on the Sick List, you must remain in your room for 24 hours. You may eat your meals in the Dining Room, but you must spend the rest of your time in your bunkroom. You may not use vending, participate in recreation, use the phone, participate in visiting, or attend any activities (including AA/NA meetings or cultural groups). You may attend your caseworker group, if requested by your caseworker. If you are denied sick list, you are required to participate in your groups and crew as assigned. If you've been placed on Sick List, you must sign up to see the nurse (or security staff on weekends) the next day prior to 7:30 a.m. Your illness will be re-evaluated, and you will either be approved for work/school or be placed on the Sick List again.

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

See the Resident Movement Schedule for Pill Call times.

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

VISITING

While in the Transition Unit, your visiting will be limited to video visiting.

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

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

1. Visitors are limited to immediate family: parents (includes step-parents), grandparents, brothers and sisters (includes step-brothers and step-sisters), children (includes step-children), grandchildren, and spouse or significant other. Note: You

may not change your significant other on your visiting list during your stay at NERCC.

2. A list of eligible visitors will be established with your Transition Caseworker. If you provide false information on the visiting list, your visiting privileges may be restricted and you may face other disciplinary action.
3. Visitors must have a government issued photo ID. Visitors who appear to be under the influence of drugs or alcohol will not be allowed to visit. Visitors who bring in contraband will be prosecuted to the fullest extent of the law and denied further visits. Visitors are expected to act in an appropriate manner and follow all facility rules; failure to do so will result in a termination of the visit. You are responsible for informing visitors of rules and expectations.
4. If a person is under court supervision (probation, parole, pre-trial release), that person will not be allowed to visit without prior approval of your assigned NERCC Caseworker.
5. If there is a legal order that prohibits contact between you and any person (such as an Order for Protection, Harassment Order, or Probation Condition), that person will not be allowed to visit.
6. Visits shall be a minimum of 20 minutes duration unless the number of persons attempting to visit exceeds the facility's ability to meet this requirement, or your visitor's or your behavior dictates a need to terminate a visit earlier.
7. Physical contact shall be limited to a brief kiss, a hug and/or a handshake upon arrival and departure. You may hold your small children throughout visiting. However, contact visiting may be disallowed if facility security requires it.
8. Visitors and residents are responsible for maintaining appropriate control of their children's behavior. Children must be kept in the parents' immediate area and not allowed to wander. Visits may be ended if children become unruly or adults are inattentive to their children.
9. You are not allowed to receive clothing, property, etc. during visiting.
10. Visits may be terminated at any time and without prior notice if institutional security requires it.
11. You are not allowed to use the bathrooms or the drinking fountain during visiting.
12. You will be pat searched before your visit and strip searched after your visit.
13. Visitors will be given a list of visiting rules to which they must adhere. You may receive a copy of these rules upon request.
14. Visitors are not allowed to bring purses, pagers, cellular telephones, cameras, or any item defined as contraband in the NERCC Resident Handbook into the visiting

area at NERCC. This includes, but is not limited to, baby carriers, bottles, blankets, toys, food, beverages, etc.

MAIL

All incoming and outgoing mail is subject to search. Residents can send and receive mail Monday through Friday, excluding holidays.

Incoming Mail: Mail will be distributed each business day. Mail is inspected for contraband and reviewed by NERCC staff. Legal mail may be opened in your presence to inspect for contraband, but will not be read by staff. You may receive stamps via the mail. Envelopes and writing paper are provided by NERCC and cannot be brought or mailed in. All cash, checks, or money orders shall be removed and credited to the resident's account. No personal checks are accepted. A receipt can be viewed by the resident on the kiosk. Checks are placed on hold in the resident's account for a minimum of ten (10) business days from the date of deposit or until it clears the bank. Letters and envelopes cannot contain stickers, perfume, lipstick, or any other substances. Photos of inappropriately dressed persons, pornographic contents, mail promoting gangs, mail containing threats or promoting illegal activities, mail violating any NERCC rules, etc. will be returned to the sender. Postage-due mail will not be accepted. No incoming packages will be allowed without prior supervisory authorization.

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

Mailing Address:

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

Books, Magazines and Newspapers: Books, magazines and/or newspapers are allowed but must come directly from a Barnes & Noble Distributor or Books-a-Million Distributor (BAM) and must be appropriate. Administration will determine the suitability of materials accepted into the facility. Only three issues of each magazine and the most recent issue of the newspaper may be kept in the resident's possession. Address labels must remain on the magazines and newspapers. Hardcover books and magazines are not allowed in the secure unit.

Law Library Access: Residents will have access to the St. Louis County Law Library service by mail. A resident may write and request specific information from the following address:

St. Louis County Law Library
Self-Help Program
Duluth Court House

100 N 5th Ave W
Duluth, MN 55802

Include your proper name and contact information. The law library can provide copies of statutes, legal articles, etc. on specific topics with a limit of 20 pages per week per person. Law library staff cannot give legal advice.

Outgoing Mail: All outgoing mail is to be left unsealed and placed in the designated box in the upstairs living area or secure unit. All outgoing mail will be inspected. Mail to attorney's, elected officials, sheriff, or the Dept. of Corrections shall be inspected for contraband by a shift coordinator or designee before being sealed. All outgoing mail must have appropriate postage, be appropriately addressed, and your name and NERCC's address must be written in the return address corner. Outgoing envelopes with drawing and writing other than the name and address will be returned to the resident. This mail is collected for delivery at 7:30 a.m. each weekday morning.

All residents receive one free mailing (equal to one postage stamp) on Tuesdays. Indigent residents may receive an additional mailing (equal to one postage stamp) on Thursdays. Indigent residents shall receive a postage allowance sufficient to maintain communication with elected officials, officials of the Department of Corrections, attorneys, or other officers of the court. Stamps may be received via incoming mail. Postage-paid envelopes are available in the vending machines.

TELEPHONES

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

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

In order to place collect calls, your friends/families will have to set up a prepaid account with the vendor, Reliance Telephone, by calling 800-896-3201 or visiting them online at reliancetelephone.com. You may also request that Reliance Telephone representatives call them directly to set up an account by dialing 101 from a resident phone and following the instructions.

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

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

Contact the vendor directly for any billing or other questions by calling the inmate help line (Dial 101 and follow instructions).

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

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

WEEKEND AND HOLIDAY TELEPHONE TIMES FOR PHASE II RESIDENTS (MPR Phones)
6:00 a.m. to 12:45 a.m.

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

Resident Telephone Rules:

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

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

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

HYGIENE

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

Showers: Showers are available 5:00 a.m. – 10:00 p.m. daily as long as it does not interfere with count, cleaning, or programming. You must complete your shower and be in your bunkroom by 10:00 p.m. There is a towel bin at the upstairs security post. Residents can have one towel and one washcloth per shower. These are not to be kept in your bunkroom.

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

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

Indigent Definition: The resident must have less than \$1.00 in his trust account and must not have placed any money on his smart card or purchased phone time in the last fourteen (14) days.

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

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

Laundry: NERCC provides laundry services for residents Monday through Friday, excluding holidays. Items to be laundered must be turned in to resident laundry workers at the laundry room door between 5:00 AM and 7:30 AM. You can pick up your clean clothes the next business day between 11:45 AM - 12:15 PM and 3:00 PM – 3:30 PM.

NERCC is not responsible for lost or damaged personal clothing.

Extra Work Crew Clothing: Approved extra work crew clothing will initially be requested by the crew leader to the resident laundry workers on behalf of the assigned resident.

Upon start of the crew assignment, the resident will be issued two (2) extra pair of pants, (2) two t-shirts, (1) one pair of boots, and two (2) shirts.

As you turn dirty clothes in to be washed daily, you will get another outfit in exchange.

Linen Exchange: All residents are required to exchange linen on Wednesday mornings. You will be expected to turn in your sheets and pillow cases by 7:30 AM (before the formal count) in the laundry bins outside the laundry room. Blanket exchange will be done once a month and will rotate between bunkrooms. If it is not your designated day to exchange your blanket, you should fold it and place it at the foot of your bed. You can pick up a clean set of sheets at the laundry room window between 9:00 AM and 3:30 PM.

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

Living Areas: You are expected to keep your living area neat and clean. Living areas will be inspected daily. You are only allowed a reasonable amount of vending machine items in your bin. These items must not require refrigeration. You may not bring food from the Dining Room into your bunkroom. (This includes crackers, fruit, cookies, etc.) Cups filled with coffee, tea, or hot chocolate are not allowed in bunkroom.

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

RECREATION

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

TOBACCO USE

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

RESIDENT COUNCIL

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

RELEASE FROM NERCC

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

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

You are responsible for your own transportation upon release.

DISCIPLINE PROCEDURES

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

MAJOR VIOLATIONS

Major One: Physical Assault

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

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

Major Two: Harassment

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

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

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

Major Three: Sexual Contact

Sexual contact is the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, mouth, buttock, or any other body part of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire with or without their consent.

Sexual Contact with others is prohibited at NERCC.

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

Major Four: Gang Related Behavior

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

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

Major Five: Substance Abuse/Possession of Substance or Paraphernalia

The possession of, and/or use of intoxicants and/or mood-altering substances is strictly prohibited. This includes, but is not limited to, the use or possession of illegal drugs, synthetic drugs, alcohol, inhalants, and drug paraphernalia. It also includes the misuse of prescription drugs (having drugs or medications on your person, “cheeking” medications, and trading/selling medications), and a positive or refused urinalysis. Drug paraphernalia includes but is not limited to: smoking pipes, needles, items fashioned for the inhalation/consumption of drugs, and hollowed out/disassembled pens or those containing residue.

Cheeking is when one pretends to swallow medication, but actually hides the pills on their person.

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

Major Six: Possession of Tobacco

This includes any unauthorized use or possession of tobacco, nicotine products, and accessories.

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

Major Seven: Possession of Contraband

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

Altering or manipulating any item from its original state or intended purpose is considered contraband.

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

Major Eight: Being in an Unauthorized Area

Being in a major unauthorized area includes leaving the NERCC building without permission, leaving an assigned program site or authorized area without permission and being in another’s living area. This includes being on or near a resident’s bunk when he is not present, and being in any area designated as “staff only.”

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

Major Nine: Failure to Participate in Programming

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

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

Major Ten: Theft

No resident shall be in possess of institutional property which has not been issued to him or be in possession of another resident's property.

Theft is defined as the taking of or possession of, property of another resident or NERCC without permission of staff.

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

Major Eleven: Damage to Property

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

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

Major Twelve: Disobeying a Staff Directive

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

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

Major Thirteen: Failing to Abide by Minor Rule Violation Sanctions

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

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

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

If you receive two minors followed by a third minor for the same rule violation, it will result in a major rule violation.

Disciplinary Action: This will result in a loss of 0-4 days of good time.

Major Fifteen: Instigating

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

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

Major Sixteen: Violating a NERCC Contract

This includes not following expectations of any educational or employment Huber, furlough, temporary leave contract, or any other court-ordered leave.

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

Major Seventeen: Gambling

Gambling is defined as when someone stakes or risks something of value upon the outcome of a contest of chance or a future contingent on an event not under their control/influence and upon the understanding that they will receive something of value in the event of a certain outcome.

Disciplinary Action: Gambling will result in a loss of 0-15 days of good time.

Major Eighteen: Disruptive Behavior

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

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

Major Nineteen: Off Grounds Violation

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

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

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

Defined as the use of another resident's phone or debit card with or without their consent.

Disciplinary Action: Possession or use of another resident's phone/debit card will result in a loss of 0-20 days of good time.

Major Twenty-One: Cruelty to Animals and Wildlife

Cruelty is defined as any willful or purposeful abuse, neglect, or maltreatment towards all farm animals or wildlife on NERCC property.

Disciplinary Action: Any cruelty to animals or wildlife violation will result in a loss of 0-20 days good time.

Additional Sanctions: The following additional sanctions may be imposed if there is a finding of guilt on a Major Rule Violation:

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

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

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

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

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

The DOR shall then be referred to the Discipline Committee, which meets every Tuesday at 12:30 PM. At least three staff must be present at a hearing. No person responsible for issuing the major rule violation will serve on the committee for that resident's hearing.

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

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

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

Review: One of the goals of NERCC is to change criminal thinking and behaviors. We want to recognize when residents have done that; therefore, you may request to have any loss of good time reviewed by the Discipline Committee two weeks prior to your *original* outdate if you have not committed any major DOR's in the previous 90 days.

This must be done by way of a formal request form and should include the steps you have made to better yourself while at NERCC. If a request has been made that falls within those parameters, the Discipline Committee shall review your previously imposed loss of good time. Prior to making a decision, the committee will consult with the caseworker, crew leader, school, and designated security team member to assess your progress at NERCC.

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

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

MINOR VIOLATIONS

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

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

NERCC uses progressive discipline, which means that the consequences may increase for repetitive minor rule violations. You should be advised that if you receive three (3) or more minor DORs for the same rule violation, it may become a major DOR. Any additional minors for the same rule violation (after you have received a major due to receiving three (3) minors for the same violation) is again a major.

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

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

1. Minor One – General Violations

- 1A. Wearing headgear, work boots, or work gear in the main building, except when actively working in the assigned work area.
- 1B. Using resident phones without permission or authorization.
- 1C. Possessing unauthorized property or unaccounted for vending items.
- 1D. Buying, selling, lending, trading, giving away, or exchanging anything of value.
- 1E. Putting feet on the furniture sitting on tables, window ledges or countertops.
- 1F. Failure to follow laundry/linen procedures/rules.
- 1G. Littering.

- 1H. Using profanity, obscene gestures, drawing sexually explicit pictures or words.
- 1I. Causing minor property damage through careless actions.
- 1J. Making excessive noise.
- 1K. Being in an unauthorized area.
- 1L. Entering living areas other than the resident's own.
- 1M. Giving false information to a staff member.
- 1O. Disobeying posted rules.
- 1P. Physical contact or horseplay.
- 1Q. Wearing clothing inappropriately ("sagging pants," or possessing clothing altered from original shape/form (cutoff t-shirts)).
- 1R. Leaving property in an unauthorized area.
- 1S. Failing to maintain good personal hygiene.
- 1T. Disobeying restriction status due to sick list, u/a, medical, or staff direction.
- 1U. Failing to respond to intercom paging.
- 1V. Playing Cards or games in unauthorized areas (group rooms).
- 1W. Cutting in front of others in lines (i.e. meal line, snack line, etc.).
- 1X. Feeding, harassing, or abusing wildlife.
- 1Y. Exercising in unapproved locations.
- 1Z. Possession of more than one empty pop/beverage bottle. Once empty, this bottle may only be refilled with water.
- 1AA. Failure to wear NERCC ID.

2. Minor Two – Living Quarters Violations

- 2A. Not being ready for room inspection.
- 2B. Making noise after lights out (10:30 pm).
- 2C. Using showers during unauthorized times or possession of more than two towels.

- 2D. Possession or storage of arts and craft supplies or finished projects in living Areas that are not authorized by the program facilitator.
- 2E. Possession of pens or markers.
- 2F. Possession of towels and/or washcloths, without staff approval.
- 2G. Pictures/items outside of your bin.
- 2H. Cleanliness violations.
- 2I. Possession of more than two (2) library books.
- 2J. Possessing of coffee, tea, or hot chocolate in coffee cup in living area.

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

3. Minor Three – Kitchen/Dining Hall Violations

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

4. Minor Four – Work Site/School Violations

- 4A. Wearing radios/headsets while walking to and from work sites.
- 4B. Not being ready to work on time and in a manner specified by the assigned crew leader.
- 4C. Not wearing appropriate clothing as required.
- 4D. Failure to abide by crew leader's rules and expectations.

5. Minor Five – Commissary Violations

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

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

6. Minor Six – Visiting Violations

6A. Leaving the visiting area without permission.

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

6C. Visiting unauthorized visitors.

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

7. Minor Seven – Sick List Violations

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

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

8. Minor Eight - Recreational Activities Violations

Physical Recreation Violations:

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

Library Violations:

8M. Ripping library magazines/newspapers/books.

8N. Taking newspapers or magazines out of the library.

8O. Improper use of computers/printers.

8P. Possession of food or drink in library.

Exercise Room Violations:

9A. Violation of posted exercise room rules.

RESIDENT CO-PAYMENT FOR HEALTH CARE

Residents of the Northeast Regional Corrections Center will be charged a co-payment for health care services under Minnesota 2000 Statute ' 641.15, sec. 2, subd. 2 (Medical Aid).

Purpose: To provide NERCC residents opportunity for necessary and appropriate medical care while reducing non-essential medical visits and costs.

Policy: We will deny no resident necessary medical care services because of inability to pay the co-payment fee. Co-payment will be incurred for medical procedures 2A through 2L on Form 153.

DEFINITIONS FOR CHARGEABLE PROCEDURES:

- 2A** Prescription medications - Residents will pay a co-pay for order processing on the initial prescription order only, per medication.
- 2B** Over-the-counter medications – Residents requesting OTC’s will pay a co-pay of .50 per dosage.
- 2C** Over-the-counter medications taken on a regular basis or in a prescribed dosage will be charged \$3.00 per month per medication. (Nurse/physician determined)
- 2D** Over-the-counter creams, lotions, powders, rubs, nasal sprays, etc. dispensed to residents will be charged a co-pay of \$2.00 each.
- 2E** Residents who do not sign up per policy, between 6:30 a.m. and 7:00 a.m. on the given morning they wish to be seen. This includes late sign-ups for non-emergent medical needs, sick list removal, questions or requests.
- 2F** Residents who see a doctor outside of NERCC for non-emergent medical needs.
- 2G** Any dental appointment.
- 2H&I** Any optical appointment.
- 2J** Any referral to an outside agency for non-emergent services – per test.
- 2K** Any injury incurred by self-infliction.

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NORTHEAST REGIONAL CORRECTIONS CENTER NON-CHARGES / CHARGES FOR MEDICAL PROCEDURES

Accounting Procedures: Chargeable procedures shall be determined per Form 153 by the nursing staff and/or support staff in charge of resident accounts. Fees are withdrawn automatically from your resident account. If you don't have enough funds in your account, a debt obligation will be created. Any funds received will be applied to any accrued debt obligations. Upon discharge, unpaid balances will be deducted from any funds in your resident account.

CODE	PROCEDURES	CHARGE	NO CHARGE
1A	Intake Assessment		N/C
1B	TB Screening and Follow-up		N/C
1C	Chronic Clinics – Routine Follow-Up diabetes, BP, HIV		N/C
1D	Sick Call (signed up between 6:30 – 7:00 a.m.)		N/C
1E	Regulated Medical Care (CDC, MDH, ACA, Court-ordered psych evaluations)		N/C
1F	Emergency Medical Care		N/C
1G	Supports (splints, ace bandages, wraps)		N/C
2A	Prescriptions (1 st order – per med) Ventolin Inhalers (each order)	\$5.00	
2B	Over-the-counter medicines (Tylenol, Benadryl, Tums, Prilosec, etc.)	.50 per dose	
2C	OTC medications taken on a regular basis or in a prescribed dose	\$3.00 per month	
2D	OTC creams, lotions, powders, rubs, nasal sprays, etc.	\$2.00 each	
2E	Drop-In (not following procedure)	\$5.00	
2F	Outside Doctor Visits	\$5.00	
2G	Dental Visits (co-pay charged per tooth evaluated or extracted)	\$5.00	
2H	Optical Visits – Doctor Prescribed	\$5.00 + cost of glasses	
2I	Optical Visits – Resident Initiated	\$5.00 + cost of visit & glasses	
2J	Non-Emergent Procedural Referral (per test)	\$5.00	
2K	Intentional Self-Harm	\$5.00	

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