

STATE OF NEW HAMPSHIRE DEPARTMENT OF CORRECTIONS

OFFICE OF THE COMMISSIONER

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January 7, 2021

His Excellency, Governor Christopher T. Sununu State House Concord, NH 03301

REQUESTED ACTION UNDER RSA 21-P:43; RSA 4:45; RSA 4:47; AND EXECUTIVE ORDER 2020-04, AS EXTENDED BY EXECUTIVE ORDERS 2020-05, 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, 2020-16, AND 2020-17, 2020-18, 2020-20, 2020-21, 2020-23 AND 2020-24.

Authorize the New Hampshire Department of Corrections (NHDOC) to enter into a retroactive Memorandum of Understanding (MOU) with the New Hampshire Department of Military Affairs and Veterans Services (DMAVS) for support of NHDOC to fill staffing vacancies at the state prison system for men in Concord, NH because of rising COVID-19 cases from December 10, 2020 until no longer needed, as determined by the Commissioner of the Department of Corrections or the Governor.

EXPLANATION

NHDOC is requesting approval to enter into a retroactive MOU with DMAVS in support of NHDOC to fill staffing vacancies at the state prison system for men in Concord, NH because of rising COVID-19 cases. The COVID-19 pandemic has caused unprecedented strain and staffing shortages of at NHDOC locations including the State Prison for Men in Concord, NH, which requires assistance to ensure the mission of the NHDOC can be continued without impact.

General Funds are associated with this request. In the event that these funds are no longer available, further funds could be requested to support these expenditures.

Respectfully submitted,

Helen Hanks Commissioner

NH Department of Corrections

David J. Mikolaities, Major General

Adjutant General

NH Department of Military Affairs

and Veterans Services

I hereby approve this request pursuant to RSA 4:45, RSA 21-P:43, and Section 4 of Executive Order 2020-04, as extended by Executive Orders 2020-05, 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, 2020-16, AND 2020-17, 2020-18, 2020-20, 2020-21, 2020-23 and 2020-24 and suspend the Manual of Procedures 150 V. B. 1. Requirement.

1-13-21

Date

Name: Governor Christopher T. Sununu

DMAVS: #21-800-001

MEMORANDUM OF UNDERSTANDING REGARDING STATE ACTIVE DUTY SUPPORT TO NEW HAMPSHIRE DEPARTMENT OF CORRECTIONS

BETWEEN

NEW HAMPSHIRE DEPARTMENT OF CORRECTIONS AND

NEW HAMPSHIRE DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

A. Agreement

This Memorandum of Understanding (MOU) between the New Hampshire Department of Military Affairs and Veterans Scrvices (DMAVS) and the New Hampshire Department of Corrections (DOC) is intended to set forth the terms and conditions for delivery of certain services when DMAVS activates members of the New Hampshire National Guard (NHNG) to state service in support of DOC to fill staffing vacancies at the state prison system for men in Concord, NH because of rising Covid-19 cases. These activations occur when ordered by the Governor pursuant to RSA 110-B:6. In support of the anticipated cooperation of the Parties in the oversight, performance of, and payment for these services, the Parties agree as follows:

B. Authority for Activation

WHEREAS RSA 110-B:6 states in part, "The governor shall have power, in case of invasion, disaster, insurrection, riot, breach of the peace, resistance to process of this state, or imminent danger thereof, or for the safety of the inhabitants of the state, to order into the active service of the state for such period, to such extent, and in such manner as the governor may deem necessary, all or any part of the national guard".

WHEREAS on Friday, March 13, 2020, the President of the United States declared a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, on Friday, March 13, 2020, the Governor issued Executive Order 2020-04, An order declaring a state of emergency due to the Novel Coronavirus (COVID-19), and said State of Emergency continues through the present as extended by Executive Orders 2020-05, 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, 2020-16, and 2020-17, 2020-18, 2020-20. 2020-21, 2020-23 and 2020-24; and

WHEREAS, the COVID-19 pandemic has caused unprecedented strain and shortages of staffing and personnel at DOC locations including the State Prison for Men in Concord, NH, and this damage must be addressed immediately in order to minimize ongoing detrimental impacts to staff and Residents to the greatest extent possible; and

WHEREAS, the Governor has authorized the activation of up to 100 members of the NHNG to respond to the COVID-19 outbreak

NOW THEREFORE, the parties agree as follows with respect to the oversight, performance of, and payment for the activation of NHNG members in support of DOC.

C. DMAVS Responsibilities

DMAVS, when ordered by the Governor, will activate members of the NHNG to support the DOC by filling staffing vacancies at the state prison for men in Concord, NH. The specific duties to be performed by NHNG members shall be limited to approved written "Post Orders" attached to this MOU as Exhibit A. Prior to the filling of staffing vacancies by NHNG, Post Orders will be reviewed and approved by the office of the New Hampshire Attorney General and NHNG. No NHNG member will be assigned duties that have not been approved in this manner.

D. DOC Responsibilities

DOC will provide training, workspace and necessary materials to members of the NHNG activated to support DOC missions. DOC will ensure that NHNG members are not tasked with duties that are outside of the scope of approved Post Orders. Additionally, DOC will reimburse DMAVS for all costs incurred as the result of activations of members of the NHNG which began on 10 December 2020 and will continue until no longer needed, as determined by the Commissioner or the Governor. These costs include payroll, health insurance premiums, mileage, and any other costs required under RSA 110-B:37..

E. Payment for Services

DMAVS will pay all costs, including salaries, per diem, health insurance premiums, and mileage of the activated members. DOC will reimburse DMAVS the full amount of all costs incurred, while members of the NHNG are engaged in DOC duties. DMAVS will submit invoices to DOC on a monthly basis. This includes the costs incurred by DMAVS to date, plus all future expenses.

F. Protection of Confidentiality

In performing the work under this MOU, DMAVS members may gain access to information possessed and used by DOC in the performance of its statutory duties to administer the state prison system (the "Confidential Information"). The Confidential Information includes, without limitation, information exempted from public disclosure under NH's Right-to-Know law, RSA 91-A:5. DMAVS agrees that its members shall not use the Confidential Information except as directly connected to and necessary for performance of the work under this Agreement. Unless required to do so by law, members shall not disclose any information learned in the

course of the work to any individual outside of DOC and shall report promptly any suspected or actual violation of the confidentiality requirements of this MOU.

G. Conflicts of Interest

It is DOC policy to avoid the appearance of bias or favoritism. In keeping with that policy, it will be the responsibility of DMAVS members to notify their DOC supervisor if they have a close friend or relative housed in the DOC facility where the DMAVS member has been assigned to work. Upon receiving such notification, DOC will, to the extent practicable, assign the DMAVS member to a post where there is no potential for direct contact with the member's friend or relative.

H. Termination

Either party may terminate this MOU, with or without cause, upon written notice to the other party, in which case the termination shall be effective thirty (30) days after the date of that notice, or a later date specified in the notice or agreed to by the parties.

I. Duration

This Agreement is effective on 10 December 2020, the date that the NHNG was ordered to state service in support of the DOC to fill staffing vacancies at the state prison system for men in Concord, NH. It shall continue until no longer needed, as determined by the Commissioner of the Department of Corrections or the Governor.

J. Miscellaneous

- A. This Agreement and its Attachments, if any, constitute the entire agreement and understanding and supersedes all prior agreements and understandings between the Parties with respect to the subject matter hereof and may be amended only in writing signed by both Parties.
- B. The parties hereto do not intend to benefit any third parties and this MOU shall not be construed to confer any such benefit.
- C. This Agreement shall be governed, interpreted and construed in accordance with the laws of the State of New Hampshire.
- D. In the event any of the provisions of this MOU are held by a court of competent jurisdiction or by any State or Federal Agency competent to make such a determination, to be contrary to any state or federal law or regulation, the remaining provisions of this Agreement will remain in full force and effect.

E. No provision in this MOU is intended to be nor should be interpreted to be a waiver of sovereign immunity by the State of New Hampshire, which is hereby expressly reserved.

IN WITNESS WHEREOF, the authorized representatives of the Parties have signed this MOU on the dates set forth below.

David J. Mikolaities, Major General

The Adjutant General

New Hampshire Department of Corrections

January 7th 2021

EXHIBIT A NH NATIONAL GUARD DOC MISSION SPT MATRIX

a= Mission Approved at Agency level

Position	Qualifications to Perform	Conditional Requirements	100	SY	N H N G	Notes
Perimeter Patrol Officer	No take A Date - Date A to the Confedence of the	N/A	RC	٠	if	Modified Perimeter Pitrol Officer 2020
Modified Hancock Unit Control Room	as a Mariera de la Compliar des may forem (1 e 5 apr) des a masterantes (1 de), and Comparente (1 1957 (arrestante forema surplantes qual product	N/A		4	R	Modified Hancock Unit Control Room
Control Room Officer		N/A	3	×	*	Modified MCS - MCN Control Room
Direct Supervision Precautionary Wetch (USPW)		N/A	4	*		Modified Direct Supervisio Precautio
Modified Tower LOfficer		N/A	×	BÉ		Tower 4 Officer 2020 (mrh.) Position
Madified Special Housing Unit Control Room		Because of the additional safety concerns associated with the SHU this position is approved only subject to the following conditions: An NHNG member will only be assigned to this post if DOC's staffing abortage cannot be addressed by assigning the member to any other exproved lower-risk position, and No NHNG member will be assigned to this post unless that member has already completed several shifts in other control room positions.	×		15.	Modified Special Housing Unit Contr
Modified Fransportation Officer		Because of the additional safety concerns associated with this position as an armed popision with direct immate contact, this position is approved only subject to the following conditions: An NHNG member will only be assigned to this post if DOC cannot address its staffing shortage by assigning the member to one of the lower-risk positions already approved; and The Nith's member will always be paired with a Corrections Officer.	×	×		Medified Transportation Office

^{**}The NHNG will only fill missions that have been pre-approved by DOJ/NH PST and final approved by the NHNG**
The NHNG is not approved to perform the Modified Hospital Security Officer Position and the Floorwalker Position

CONFIDENTIAL

		State o	f New Hampshire		
		Departm	ent of Correction	S	
	Modified Po	ost Order - 1	National Guard Me	embers (NH NG)	
Facility:	NH State Prison / Men	Effective Date:	March 2020	Post Order No.	NHSP/M IP3
Post:	Interior: Perimeter Patrol (Primary or Secondary)			Supervisor: Shift	t Commander
Wardens Signature:					

I. PURPOSE: This post order is a guide for the actions of Corrections Officer assigned the tour

of duty as Motor Patrol Officer / Perimeter Security. Post orders cannot cover every incident which may occur; however, employees assigned to a post shall use good judgment, tact and pay careful attention to detail in discharging their duties.

II. DURATION:

This post order is of indefinite duration and will be recalled only under the

direction of the Warden or designee.

III. SUPERVISION: The Motor Patrol Officer / Perimeter Security will be under the supervision of the Shift Commander.

IV. GENERAL OBSERVATION AREA:

The patrol area of this post is limited to the external perimeter of the Prison Complex. For Post purposes, the Prison complex is defined as the Main Prison Compound, Administration Building and adjacent structures, the Minimum Security Unit, the Boiler Plant, Farm Grounds, and the Prison Warehouse. Attachment A is a diagram which delineates the general routes authorized to the Patrol Vehicle under non-emergency situations. The area of responsibility of this Post includes all observable areas outside and adjacent to the Prison complex. This area includes, but is not limited to, the roofs and walls of all buildings, security walls, fences, and adjacent areas, resident work and recreation sites, the perimeter road and adjacent areas, Prison parking lots, and all other Prison Property.

V. EQUIPMENT:

One pistol, with 3 magazines of 9mm ammunition for, one rifle with two magazines of .223 or 5.56mm ammunition for the rifle, one left and one right handed holster, one magazine holster for the pistol, radio and keys. The pistol will be fully loaded with a round in the chamber. The rifle will have the magazine in the magazine well with the chamber empty and the bolt closed with the ejection port closed and safety on. The other magazine will be kept with the rifle.

each magazine has the correct amount of rounds in each. Each of the magazines is designed with a see thru window and numbers along with an indicator bar to let the officer know how many rounds are loaded in the magazine. If there is any question as to how many rounds are loaded into the magazine the officer will physically check the magazine for the required rounds. This will be done prior to the officer being relieved of duty.

Also a vehicle designated as the Motor Patrol Vehicle with a mounted radio and one portable radio with carrier. One set of keys to the Perimeter of the facility.

A Pipe II electronic rounds reader (One for each post; 19 and 19A)

Upon arrival, a security and operations check will be made of all equipment to ensure proper operating condition. The Motor Patrol Vehicle will be inspected for unreported damage, operational check to verify mechanical condition, general cleanliness, and functioning of safety equipment. The vehicle will be inspected in accordance with the Perimeter Log & Vehicle/Equipment Check List and entries made on the log. Condition of radios and weapons will also be entered on this log. During vehicular operation any indications of vehicle malfunction will be reported immediately to the Shift Commander.

All equipment and its components will be located within the Motor Patrol vehicle and the officer will wear a complete Prison uniform with approved sidearm with holster, handcuffs and magazine pouch.

VI. START OF SHIFT:

This is a 24 hour, 7 days a week post and is normally assigned to a Corrections Officer. Relief will be posted by the relieving Platoon at or about 0700, 1500, and 2300, respectively. You will remain at your post until properly relieved.

VII. DAILY ROUTINE DUTIES:

The posted officer will remove the magazine from the pistol, remove the pistol from the holster and while pointing the muzzle in a safe direction, remove the chambered round, leaving the slide locked to the rear. The posted officer will present the relief officer with the pistol un-holstered, empty and slide locked to the rear for his / her inspection. Once the pistol is inspected by the relief officer, he / she will insert a magazine into the pistol, while pointing the muzzle in a safe direction, chamber a round and holster. The posted officer will remove the magazine from the rifle and put the magazine down in a safe manner and lock the bolt back. The posted officer will then present a cleared rifle with the bolt locked back, safety on to the relief officer for his / her inspection. Once inspected by the relief officer, he /she will release the bolt forward and insert the magazine. The rifle will be maintained at post with the safety on, magazine in and chamber empty. After determining that the vehicle and equipment is operational and in good order the relief officer will effect the relief and assume the responsibilities of the post.

The officer will check the weapons upon being relieved to ensure the off going officer has given all of the magazines to the relief officer. There will be (3) pistol magazines and (2) rifle magazines. The oncoming officer will then <u>ADMINISTRATIVELY LOAD</u> the rifle.

The officer will make sure that the rifle's safety is engaged, check to ensure that the rifle is clear,

then slide the bolt forward then insert the magazine into the AR-15. Place the AR-15 back into the locked carrier.

If the officer has to leave the perimeter vehicle for any reason i.e., gate call or restroom the officer will unload the Bushmaster AR-15 and take both of the magazines with them. Upon reentry of the vehicle the officer will ADMINISTRATIVELY LOAD the Bushmaster AR-15.

This weapons exchange will take place by the Haz-Mat storage shed on the perimeter road (Top of the hill near zone 3) or in the Transportation area. After determining that all equipment is operational and in good order the relief officer will affect the relief and assume the responsibilities of the post. Control access for all vehicles entering the North Yard trap.

Responsible to ensure that all prison access points are clear for emergency vehicles.

The officer assigned to this post will present himself/herself to the posted officer, if applicable. Each individual officer is to review informational material available at their post on a daily basis with the intent of staying current with the issues relevant to that post and the facility as a whole. This includes but not limited to shift logs, pass on logs, posted briefing items, memos and electronic briefings. The relief officer will effect the relief and assume the responsibilities of the post, after determining that the equipment is operational and in good order.

All staff members assigned to this post are expected to be forthright, honest and truthful with all people with whom you come into contact with. All DOC employees are expected to adhere to the Value Statement. You will treat everyone with Respect and conduct yourself with Integrity and Professionalism.

Throughout the tour of duty, the officer assigned to this post will remain alert to prevent disturbances or possible escape attempts and maintain constant surveillance of all areas within view. When relieved during or at the completion of your shift, transfer the weapons and ammo in the same manner as listed above.

Each Post Officer will maintain the Vehicle Mileage Log and enter vehicle mileage at the start and end of each tour of duty. All other pertinent entries will be made on the Perimeter log & Vehicle/Equipment checklist.

Conduct periodic motor patrol of your assigned Post but - DO NOT ESTABLISH A ROUTINE OF SCHEDULE REGARDING TIME AND/OR LOCATION. Since continuous movement can detract from security the Motor Patrol Officer/Perimeter Squad Leader will non-routinely station the motor patrol vehicle in positions providing the officer with optimum observation capability. During the tour of duty the vehicle will be moved from one vantage point to another at staggered time intervals in order to prevent establishment of a pattern.

When N.H. Correctional Facility for Women releases an individual under departmental control the following guidelines will take place. 19 (primary perimeter vehicle) or 19A (secondary perimeter vehicle) will observe the released individual walk to the SPU parking lot, where the released individual will meet their pre-arranged transportation, which will then exit prison grounds. In the

event the released individual does not have transportation, 19 or 19A will direct them to the main road (North Main Street), where they can exit prison grounds.

The Pipe II electronic rounds reading device will be used to documents specific scheduled rounds at each of 8 specific locations on prison controlled property in accordance with this schedule:

1. On the shed in the rear of the NEH parking lot	1 read every hour
2. On the north end of the boller house building	1 read every hour
3. On the north trap entrance gate	1 read every hour
4. On the R&D trap entrance gate	1 read every hour
5. On the north end of the warehouse	2 reads every shift
6. At the farm on a shed straight in from the entrance gate	1 read every shift
7. NHCFW north end of their perimeter road	1 read every hour
8. NHCFW south end of their perimeter road	1 read every hour

Each of the round points are <u>Pipe II buttons mounted to yellow signs that identify the area number and that are clearly visible at the identified locations.</u> (Area 1, Area 2, Area 3, Area 4, Area 5, Area 6, Area 7, Area 8)

If for any reason, the minimum amount of required Pipe rounds can't be completed, the on duty Shift Commander must be notified, and an Incident Report must be generated detailing the reasons.

Upon receiving notification from competent authority that an intrusion / security alarm has been activated the Posted Officer will immediately respond to the specified zone. If an escape attempt is in progress and if time permits, you will first contact the supervising corrections officer. If a corrections officer cannot prevent the escape and apprehend the escapee, you will take the appropriate action necessary to prevent the escape and apprehend the escapee(s). If, after a visual inspection of the location of the alarm condition, you determine the alarm was not activated by an escaping resident you will notify the Central Control Room to clear and reset the alarm board. Remain in position until the alarm condition is cleared.

Extracts from the NH Code of Administrative Rules, Part COR 306 (Control of Contraband on Prison Grounds) are attached as a part of this Post Order. Paragraph COR 306.01 defines items considered contraband and COR 101.21 defines Prison grounds. Paragraph COR 307.03 Prohibits contraband on Prison grounds and Para. 307.04 Authorizes searches and inspections.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES PART COR 307 CONTROL OF CONTRABAND ON PRISON GROUNDS

COR 306.01 Items Considered Contraband. Contraband consists of:

- a. Any substance or item whose possession is unlawful for the person of the general public possessing it (including but not limited to narcotics, controlled drugs, automatic or concealed weapons, possessed by those not licensed to have them).
- b. Any firearm or device designed to propel or guide a projectile against a person, animal or target.
- Any bullets, cartridges, projectiles or similar items designed to be projected against a person, animal or target.

- d. Any explosive device, bomb, grenade, dynamite or dynamite cap or detonating device including primers, primer cord, explosive powder or similar items.
- e. Any drug item, whether medically prescribed or not, in excess of a one-day supply or in such quantities that a person would suffer intoxication or illness if the entire available quantity were consumed alone or in combination with other available substances.
- f. Any intoxicating beverages.
- g. Large sums of money or negotiable instruments (in excess of \$100).
- Lock-picking kits or tools or instructions on picking locks, making keys or obtaining surreptitious entry or exit.
- i. The following types of items are contraband in the possession of an individual who is not in a vehicle, but are not contraband stored in a secured vehicle:
- (i) Knives and knife-like weapons.
- (2) Clubs and club-like weapons.
- (3) Maps of the prison vicinity or sketches or drawings or pictorial representations of the prison, its ground or its vicinity.
- (4) Pornography or pictures of visitors or prospective visitors undressed.
- (5) Radio capable of monitoring or transmitting on the police band in the possession of other than law enforcement officials.
- (6) Identification documents, licenses and credentials not in the possession of the person to whom properly issued.
- (7) Ropes; saws; Ladders; grappling hooks; fishing line; masks; artificial beards or mustaches; cutting wheels; or string, rope or line impregnated with cutting material; or similar items to facilitate escapes.
- (8) Balloons, condoms, false-bottomed containers, or other containers which could be used to facilitate transfer of contraband.

Source. #2786. Eff 8-1-84

COR 101.21 Prison Grounds Defined. Prison grounds includes all real property owned, leased, or under the control of the prison. Normally such grounds include all of the prison property on North State Street which houses the main prison and the minimum security unit including the roads; lawns; buildings; woods; parking lots; and other areas adjacent thereto; the prison farm, and its buildings; roads; fields; woods, and land; the Community Corrections Center on Shea Farm and its surrounding lands; fields; roads; parking lots, and buildings; the Manchester Community Corrections Center on Lowell Street in Manchester with its grounds; buildings; driveways and lawns. Additional areas shall be included if they become used to house, work, or train residents.

Source. #2786, eff 8-1-84

COR 306.02 Contraband on Departmental Property Prohibited. The possession, transport, introduction, use, sale or storage of contraband on the prison grounds without prior approval of the

Commissioner of Corrections, Assistant Commissioner, the Warden or the Major is prohibited under the provisions of RSA 622:24 and RSA 622:25.

Source. #2786, eff 8-1-84

COR 306.03 Searches and Inspections Authorized. Any person or property on state prison grounds is subject to search to discover contraband. Searches are necessary to prevent the introduction of contraband into the prison and the hands of the residents and to prevent escapes, violence and situations where violence is likely. Travel onto prison grounds constitutes consent to search for contraband. Searches and inspections shall be conducted as follows:

- (a) All motor vehicles parked on prison grounds shall be locked and have the keys removed. Custodial personnel shall check to insure that vehicles are locked and shall visually inspect the plain view interiors of the vehicles. Vehicles discovered to be unlocked shall be searched to insure that no contraband is present. Contraband discovered during searches shall be confiscated for evidence, as shall contraband discovered during plain view inspections.
- (b) All persons entering the prison to visit with prisoners or staff, or to perform services at the prison or to tour the prison are subject to having their persons checked for contraband. In order to minimize the scope of such searches items not needed for the visit such as purses, coats and other baggage shall be left either in the vehicles or in the front door area. All items and clothing carried into the institution beyond the front door waiting area shall be searched for contraband.

Items left at the front door storage area are subject to inspection and search upon occasion, but are not always searched. Contraband seized shall be retained as evidence under the provisions of RSA 622:24.

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

Source. #2786, eff 8-1-84

Vehicles parked on Prison property are randomly inspected by corrections officers to ensure that the vehicle is locked and secured and does not contain any items of contraband such as weapons, drugs or drug paraphernalia, escape implements (ropes, ladders, etc.) or alcoholic beverages. If a vehicle is unlocked or unsecured, you will report the situation to the supervising corrections officer, who may direct a corrections officer to search the vehicle or take other action, with your assistance (if necessary).

Vehicles parked illegally will have the owner called out to be moved and CCR shall run the license plate.

No unauthorized vehicles or persons are permitted on Prison property, including portions of prison property on or near the Perimeter Road. Unidentified vehicles and pedestrians on prison property

may be stopped to determine purpose and positive identification. Prior to conducting a stop of any vehicle or person, the Post Officer will notify the Central Control Room Officer of the intended stop and provide as much preliminary identifying information as possible. After the identity of all vehicle occupants or pedestrians has been established the Post Officer will radio all information to Central Control and retain position with the person(s) stopped until orders for disposition have been received from the Platoon Commander.

DO NOT TRANSPORT NON-STAFF PERSONNEL WITH THE MOTOR PATROL VEHICLE.

WHILE CONDUCTING AN IDENTITY CHECK YOU WILL NOT BRANDISH NOR DISPLAY THE RIFLE AND THE PISTOL WILL NOT BE DRAWN FROM ITS HOLSTER UNLESS YOU REASONABLY BELIEVE YOU OR OTHERS ARE IN IMMINENT DANGER OF SERIOUS PHYSICAL HARM.

Throughout the tour of duty be alert to the possibility than an incident occurring on the perimeter may be a diversion for an escape attempt.

The Perimeter Road adjacent to the Transportation area is Off-Limits to all vehicular traffic except for Perimeter Patrol or emergency vehicles responding to an event, whenever residents are present in the compound (does not include TWC work crews). All other traffic will be routed in and out via the entrance adjacent to the parking area behind the Transitional Work Center.

In the event of any emergency situation of any nature within your area of responsibility, you will take appropriate immediate action to report and contain the situation. Any unusual occurrence, not of an emergency nature, will be reported to Central Control by telephone or radio. Any activity requiring the completion of an incident report is to be reported to the unit OIC or area supervisor as soon as reasonably possible. All incident reports will be completed prior to the end of shift and submitted to the Shift Commanders Office.

For purposes of definition an emergency situation includes fires, escape attempts, assaults by residents on staff or other residents, an officer requiring assistance to maintain good order and discipline and riots or general disturbances involving residents.

Any unusual occurrences will be reported immediately to Central Control by radio.

Responsibility for the duties of this post end only upon being properly relieved by an assigned officer.

VIII. POST CHRONOLOGY:

USE OF WEAPON/DEADLY FORCE:

It is your duty to prevent escapes. If you observe a resident attempting to escape order him/her to "halt". If he/she does not halt, and deadly force is reasonably necessary to prevent the escape, you will immediately shoot your weapon in order to stop him. PPD 382, Use of Force in Departmental Activities and RSA 627:5 & 627:6 will be followed.

The officer will ensure that he / she has an adequate supply of the following operational forms: Perimeter Log & Vehicle/Equipment Check list Vehicle Mileage Log Incident Reports Statement Forms

X. REFERENCES:

PPD's

384 Firearms

357 Contraband Detection

365 Resident Movement, Accounting, Attire and Identification

1069 Reading the Post Order

382 Use of Physical Force in Departmental Activities

RSA

627:5 627:6

622:24

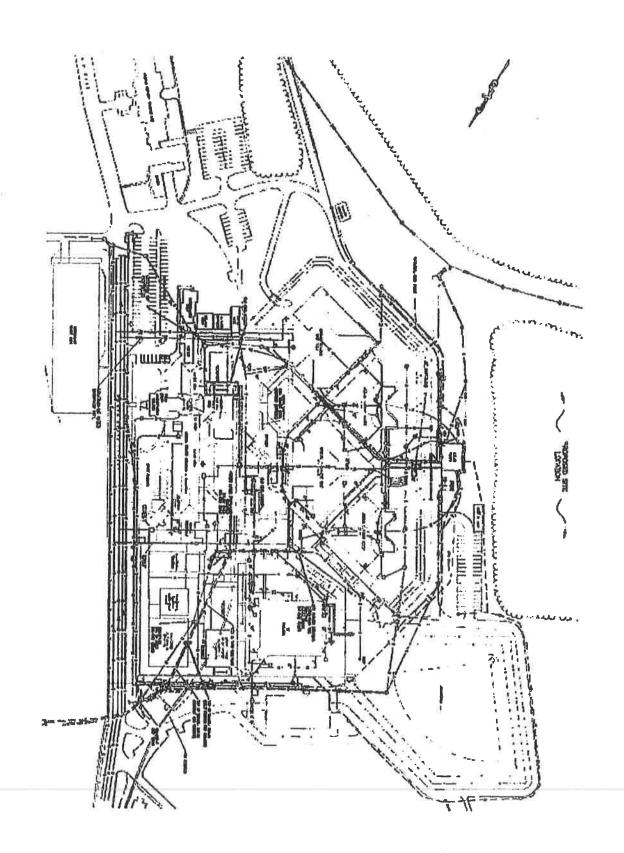
622:25

XI. ATTACHMENTS:

Post Order Signature Sheet

PERIMETER PATROL OFFICER POST ORDER

My signature below affirms that I have read and understand the Orders for this Post: Date Printed Name Signature:



CONFIDENTIAL

		State of	f New Hampshi	re	
		Departm	ent of Correction	ons	
	Modified Po	ost Order - N	Vational Guard	Members (NH NG)	
Facility:	NH State Prison / Men	Effective Date:		Post Order No.	NHSP/M HK5
Post:	Hancock: Control Room Officer		Hancock: Control Room Officer Supervisor: HNK Unit Corporal		
Wardens Signature:					

I. PURPOSE:

This post order is a guide for the actions of NH NG members assigned the tour of duty as Hancock Unit Control Room Officer. Post orders cannot cover every incident which may occur; however, employees assigned to a post shall use good judgment, tact and pay careful attention to detail in discharging their duties.

II. DURATION:

This post order is of indefinite duration and will be recalled only under the

direction of the Warden.

III. SUPERVISION: The Hancock Unit Control Room Officer will be under the supervision of the Hancock Unit Corporal.

IV. GENERAL OBSERVATION AREA:

The patrol area of this post is limited to the physical confines of the Control Room of the specific Hancock GP Unit to which you are assigned. The area of responsibility of this post includes all observable areas within, outside and adjacent to the Unit Control Room to which you have been posted. This area includes, but is not limited to, the Control Room, the walls of the secure perimeter, the walls and roofs of all buildings and resident housing areas.

V. EQUIPMENT:

This post is equipped with a base radio. If not present, a radio will be drawn from the radio room located next to the Shift Commanders Office. The officer will be in the possession of the radio at all times.

The equipment the assigned officer is responsible for include the Control Room electrical and electronic systems for control, communications internal and external to the Unit. Keys, video camera, base radio unit, OC spray and Flashlights for issue to authorized staff along with documentation as required.

Upon arrival a security and operations check will be made of all equipment to ensure proper operating condition to include a key and equipment count to ensure accountability of all keys & equipment. The officer will wear a complete duty uniform.

VI. START OF SHIFT:

This is a 24-hour, 7 days a week post and is normally assigned to a Corrections Officer. Relief will be posted by the relieving Platoon at or about 0700, 1500, and 2300, respectively. You will remain at your post until properly relieved.

VII. DAILY ROUTINE DUTIES:

Throughout the tour of duty, the officer assigned to this post will remain alert to prevent disturbances or possible escape attempts and maintain constant surveillance of all areas within view.

The officer will operate electrically controlled doors as required to permit entrance and exit of authorized staff. Issue and retrieve movement passes to control the movement of residents assigned to the unit in accordance with the detailed procedures specified in PPD 365.

Activate electrically controlled doors to resident living areas as required to permit entry and exit of staff and authorized residents.

Monitor activities in resident living areas by activation of the intercom systems located in those areas.

The Control Room Officer when requested by the Visit Room, Medical, CC/CM, Unit Management Team, etc... to have a resident report to any type appointment, SHALL, from within the control room, locate and have the requested resident report. This includes residents not presently in the unit. The Officer must make the needed contacts to locate the resident and ensure the resident reports to the requested appointment in a timely manner.

THE CONTROL ROOM DOOR WILL NOT BE OPENED WHEN ANY RESIDENT IS IN CLOSE PROXIMITY OR POSITIONED TO GAIN ENTRY TO THE CONTROL ROOM.

In the event of any emergency situation of any nature within your area of responsibility, you will immediately notify central control. Any unusual occurrence, not of an emergency nature, will be reported to the unit supervisor. Any activity requiring the completion of an incident report is to be reported to the unit OIC or area supervisor as soon as reasonably possible. All incident reports will be completed prior to the end of shift and submitted to the Shift Commander's Office.

For purposes of definition an emergency situation includes fires, suicide attempts, escape attempts, medical emergency per PPD 6.47, assaults by residents on staff or other residents, an officer requiring assistance to maintain good order and discipline and riots or general disturbances involving residents.

Responsibility for the duties of this post end only upon being properly relieved by an assigned officer.

VIII. POST CHRONOLOGY:

Only one staff member will be on break at a time in the designated break room.

Breaks will not be taken in the Control Room.

No residents will be permitted to utilize the North Stairs except under staff supervision for necessary contingencies of an emergency nature. The Guardsmember will control access to the North Stairs from within the Control Room to ensure compliance with this requirement.

From within the Control Room, the Guardsmember will participate in scheduled counts for all classifications of residents housed in the Hancock Building at the following times:

0300 - Census Count

0730 - Standing Count

1200 - Standing Count

1730 - Standing Count

2200 - Census Count

2300 - Census Count

While in the yards, residents will be properly clothed in accordance with PPD 365 and be kept away from the fences that enclose the yards. Residents observed violating the above via the camera will be reported to the unit officer.

The only residents allowed access to a unit are those who are housed there, i.e.: residents living in other units are not allowed in the Hancock Unit without approval for a specific reason such as recreation workers, maintenance workers, etc. The Guardsmember will control access to the Hancock Unit from within the Control Room to ensure compliance with this requirement.

Additional Duties:

Answer phone and steno phone

Log keys daily

Announce movement and general announcements to pods

Distribute forms to residents during movement

Document and distribute cleaning supplies

Hand out and keep track of visiting room passes

Call in count to the Central Control Room

Hand out appointment slips

Keep pod doors locked during non-movement

Update count board as notified by OIC

Monitor Key control to include use of Chits or key usage logs for keys leaving the Control Room

X. REFERENCES:

PPD's

365 Master Movement and Resident Identification

1069 Reading the Post Order

383 Video Camera Documentation

XI. ATTACHMENTS:

Post Order Signature Sheet

HANCOCK CONTROL ROOM OFFICER POST ORDER

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		State of New Han	npshire			
		Department of Cor	rrections			
	Modified Pr	ost Order – National G	uard Members	(NH NG)		
Facility:	NH State Prison / Men	Effective Date:		ost Order No.	NHSP/M MC5	
Post:	Medium Custody (South and/or North): Control Room Officer Supervisor: Med. Custody Unit					
Wardens Signature:						

I. PURPOSE:

This post order is a guide for the actions of NH NG members assigned the tour of duty as Medium Custody Control Room Officer. Post orders cannot cover every incident which may occur; however, employees assigned to a post shall use good judgment, tact and pay careful attention to detail in discharging their duties.

II. DURATION: This post order is of indefinite duration and will be recalled only under

the direction of the Warden.

III. SUPERVISION: The Medium Custody Control Room Officer will be under the supervision of the Medium Custody Unit's Officer in Charge.

GENERAL OBSERVATION AREA: IV.

The patrol area of this post is limited to the physical confines of the Control Room of the specific Medium Custody Unit to which you are assigned. The area of responsibility of this post includes all observable areas within, outside and adjacent to the unit to which you are posted. This area includes, but is not limited to, the Control Room, the walls of the secure perimeter, the walls and roofs of all buildings, resident housing areas, resident recreation and work sites and all areas which are accessible to residents.

V-**EQUIPMENT:**

This post is equipped with a base radio. If not present, a radio will be drawn from the radio room located next to the Shift Commanders Office. The officer will be in the possession of the radio at all times.

The equipment the assigned officer is responsible for include the Control Room electrical and electronic systems for control, communications internal and external to the Unit. Keys, video camera, base radio unit, OC spray and Flashlights for issue to authorized staff along with documentation as required.

Upon arrival a security and operations check will be made of all equipment to ensure proper operating condition to include a key and equipment count to ensure accountability of all keys & equipment. The officer will wear a complete duty uniform.

VI. START OF SHIFT:

This is a 24 hour, 7 days a week post and is normally assigned to a guard member. Relief will be posted by the relieving Platoon at or about 0700, 1500, and 2300, respectively. You will remain at your post until properly relieved.

VII. DAILY ROUTINE DUTIES:

Throughout the tour of duty, the officer assigned to this post will remain alert to prevent disturbances or possible escape attempts and maintain constant surveillance of all areas within view.

The officer will operate electrically controlled doors as required to permit entrance and exit of authorized staff. Issue and retrieve movement passes to control the movement of residents assigned to the unit in accordance with the detailed procedures specified in PPD 365.

Activate electrically controlled doors to resident living areas as required to permit entry and exit of staff and authorized residents.

Monitor activities in resident living areas by activation of the intercom systems located in those areas.

The Control Room Officer when requested by the Visit Room, Medical, CC/CM, Unit Management Team, etc... to have a resident report to any type appointment, SHALL, from within the control room, locate and have the requested resident report. This includes residents not presently in the unit. The Officer must make the needed contacts to locate the resident and ensure the resident reports to the requested appointment in a timely manner.

THE CONTROL ROOM DOOR WILL NOT BE OPENED WHEN ANY RESIDENT IS IN CLOSE PROXIMITY OR POSITIONED TO GAIN ENTRY TO THE CONTROL ROOM.

In the event of any emergency situation of any nature within your area of responsibility, you will immediately notify central control. Any unusual occurrence, not of an emergency nature, will be reported to the unit supervisor. Any activity requiring the completion of an incident report is to be reported to the unit OIC or area supervisor as soon as reasonably possible. All incident reports will be completed prior to the end of shift and submitted to the Shift Commander's Office.

For purposes of definition an emergency situation includes fires, suicide attempts, escape attempts, medical emergency per PPD 6.47, assaults by residents on staff or other residents, an officer requiring assistance to maintain good order and discipline and riots or general disturbances involving residents.

Responsibility for the duties of this post end only upon being properly relieved by an assigned officer.

VIII. POST CHRONOLOGY:

Formal Scheduled Counts in the Medium Custody North and South Units will be as follows:

0730 - Standing Count

1200 - Standing Count

1730 -- Standing Count

2200 -- Census Count

2300 -- Census Count

0300 -- Census Count

Officers assigned to duty in the Medium Custody Units will issue Movement Passes to all residents leaving their unit except for scheduled Mass Movements or under staff escort.

The only residents allowed access to a unit are those who are housed there, i.e.: residents living that Medium Custody Unit are not allowed in any other housing units "without approval for a specific reason" such as recreation workers, maintenance workers, etc.

Residents in the Medium Units are not allowed to enter any pod other than the one they are housed in. control room staff observing violations will notify the unit OIC.

Officers assigned to duty in a Medium Unit Control Room will insure that residents leaving the unit are properly clothed, and have their I.D.'s visible. Officers will not open the door for residents not meeting this standard.

Medium Custody Unit residents will turn-in movement passes to the Unit Control Room Officers when returning to the unit except for scheduled Mass Movements or under staff escort.

Control Room Officers shall upon the end of every movement account for all Unit passes returned by the resident ensuring accuracy and accountability of the residents as well as the passes.

Unit Floor walkers will ensure that they maintain active communication with the unit control room as to which housing pod that they are in at any given time. This is especially true when staff are doing the designated round alone.

X. REFERENCES:

PPD's
365 Master Movement and Resident Identification
1069 Reading the Post Order

XI. ATTACHMENTS:

Post Order Signature Sheet

MEDIUM SECURITY UNIT CONTROL ROOM OFFICER POST ORDER

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	Modified Po	ost Order - N	lational	Guard Me	embers (NH NG)	
Facility:	NH State Prison / Men	Effective Date:	March		Post Order No.	NHSP/M SH5
Post	Special Housing Unit: Con	Special Housing Unit: Control Room Officer			or: Unit Sergeant or (Officer in Charge)
Wardens Signature:						****

I. PURPOSE:

This post order is a guide for the actions of NH NG members

assigned the tour of duty as a Special Housing Unit Control Room Personnel.

Post orders cannot cover every incident which may occur, however, employees assigned to a post shall use good judgment, tact and pay

careful attention to detail in discharging their duties.

II. DURATION:

This post order is of indefinite duration and will be recalled only under the

direction of the Warden.

III. SUPERVISION: The Special Housing Unit Control Room Personnel will be under the supervision of the Special Housing Unit OIC.

IV. GENERAL OBSERVATION AREA:

The patrol area of this post is limited to the physical confines of the Special Housing Unit Control Room. The area of responsibility of this post includes all observable areas within, outside and adjacent to the Unit. This area includes, but is not limited to, the Control Room, the Unit rotunda, resident housing tiers, Unit offices, camera surveillance areas, resident recreation and work sites and all areas which are accessible to residents.

V. EQUIPMENT:

This post is equipped with a base radio. If not present utilize a radio from the radio room. Radios will be assigned to the officer from the Radio Room located next to the Shift Commanders Office. The officer will be in the possession of the radio at all times.

The Unit Control Room is where all electrical and electronic systems for control and communications internal and external to the Unit. Unit keys will be issued for access to exercise yards, visiting room and other unit areas for issue to authorized staff as required.

All equipment will be located within the Control Room. At the beginning and end of the shift, all unit equipment such as keys, all means of restraints and the "Pipe" time management devices will be accounted for. Deficiencies will be reported to the unit OIC immediately.

Upon arrival a security and operations check will be made of all equipment to ensure proper operating condition. The officer will wear a complete Guard uniform with handcuffs and pouch.

VI. START OF SHIFT:

This is a 24 hour, 7 days a week post and is normally assigned to Guard personnel. Relief will be posted by the relieving Platoon at or about 0700, 1500, and 2300, respectively. You will remain at your post until properly relieved.

VII. DAILY ROUTINE DUTIES:

Throughout the tour of duty, the officer assigned to this post will remain alert to prevent disturbances or possible escape attempts and maintain constant surveillance of all areas within view.

Operate electrically controlled exterior door to permit entry and exit of staff and authorized residents after verification of identity by means of cameras/intercom system. If you do not recognize who is requesting entry into the unit, it is the expectation that you will engage via intercom to determine identity and reason.

Operate internal electrically controlled doors to permit movement of authorized staff and residents between areas within the Special Housing Unit. Identity of staff and residents will be verified by sight or intercom prior to activation of the electric locks.

During times that tier workers are out of their cell cleaning the tier, there is to be no other activity on the tier. If staff needs access to the tier you are expected to order the resident tier cleaner back to his cell prior to opening either of the tier doors allowing staff access.

No more than one tier access door will be opened at a time when permitting the movement of staff or residents to or from a housing tier.

All computer system overrides are only to be used in the case of emergency or with authorization of the Officer in Charge.

When issuing unit keys to authorized staff, the Guard personnel will utilize the "Chit System". Any time an officer needs to draw more than one set of keys, they will be signed out on the tool log by the Control Room Officer.

Ensure that the entry door to the Control Room is kept double locked at all times except to permit entry/exit of authorized staff.

THE CONTROL ROOM DOOR WILL NOT BE OPENED WHEN ANY RESIDENT IS IN THE ROTUNDA. BOTH LOCKS WILL BE SECURED AT ALL TIMES.

All Guard personnel will be alert to residents signaling from their cells by waving towels as a means to attract attention. When such a signal is made the control room personnel observing the action will expeditiously respond to the signaling resident over the intercom to determine the reason for the signal.

In the event of any emergency situation of any nature within your area of responsibility, you will

immediately notify central control. Any unusual occurrence, not of an emergency nature, will be reported to the unit supervisor by telephone or radio. Any activity requiring the completion of an incident report is to be reported to the unit OIC or area supervisor as soon as reasonably possible. All incident reports will be completed prior to the end of shift and submitted to the Shift Commanders Office.

For purposes of definition an emergency situation includes fires, suicide attempts, escape attempts, assaults by residents on staff or other residents, an officer requiring assistance to maintain good order and discipline and riots or general disturbances involving residents.

All SHU Control Room personnel will read and be familiar with SHU Control Room Emergency Procedures.

When personnel are assigned to the Control Room Post, they are not to be relieved or to leave the post without authorization from the Officer in Charge. Also, no other staff members are allowed in the Control Room without authorization from the Officer in Charge. Bathroom facilities are located in the lower level of the Control Room and will be utilized, as opposed to continued un-necessary breaching of the Control Room door to use the bathroom facility. During the second and third shift upon the relief officer entering the Control Room, the above process will be followed.

Responsibility for the duties of this post end only upon being properly relieved by an assigned Officer.

MOVEMENT CONTROL:

Movement of residents housed in the Special Housing Unit will be conducted as described in the following:

The majority of all programs and recreation in SHU will be accomplished between the hours of 0700 and 1430. Any additional programming and recreation between the hours of 1430 through 2100 will be authorized by the unit officer-in-charge. There will be no other movement in the unit except for extraordinary or emergency movement i.e.: to prevent death or serious injury to staff or residents and protection of property

Except for designated Unit Service Workers, no resident will be permitted in the Rotunda area of the Special Housing unit until secured with handcuffs. Only three residents at any time will be supervised on the Rotunda. Handcuffs will be utilized in accordance with Procedures specified in PPD 368.

With the exception of pre-identified C4 workers, all residents housed in the Special Housing Unit will be restrained and escorted by staff for any movement.

ALL PERSONNEL are responsible to ensure all doors within the unit are secure. This is to include the interior / exterior sliders on the tiers. The sliders will be opened one at a time when the officers go on / off of the tiers.

A minimum of three cells in the unit will be routinely shaken-down on a daily basis by a corrections officer. But the officers are encouraged to search more cells than what is routinely required to be

shaken-down per day. The Guardsmember assigned to the Control Room post will not be directly involved in any shake-downs.

VIII. POST CHRONOLOGY:

Throughout the tour of duty, the officer assigned to this post will remain alert to prevent disturbances or possible escape attempts and maintain constant surveillance of all areas within view.

Counts: (extract from PPD 365)

Counts and census checks will be taken to insure around-the-clock accountability of all residents.

Three (3) types of counts will be used:

- 1. Formal (scheduled) count
- 2. Census count
- 3. Emergency count
- 1. Formal, scheduled counts will be taken daily at:

0710 *

1200 *

1730 *

2200

2300

0300

- * Standing Counts The 0710, 1200 and 1730 counts will be standing counts. Residents are required to be out of bed and standing for this count.
 - Census counts-

These will be taken daily, on a frequent but irregular basis, to verify the presence of all residents assigned, to work, recreation or other activities under the supervision of a Corrections Officer or other Staff Supervisor.

3. Emergency Counts-

These will be taken on the Direction of the Shift Commander or their designee.

EMERGENCY PROCEDURES FOR SHU CONTROL ROOM OFFICERS

SHU CONTROL ROOM PERSONNEL SHOULD REALIZE THAT THE CONTROL ROOM WAS DESIGNED TO WITHSTAND A PROLONGED ATTACK FROM OUTSIDE FORCES. THIS MEANS THAT THEY HAVE TIME AND NEED NOT PANIC IN CASE OF AN EMERGENCY. WITH THAT IN MIND THE FOLLOWING PROCEDURES SHOULD BE FOLLOWED IN CASE OF EMERGENCY SITUATIONS.

1. CLOSE ALL DOORS THAT ARE OPEN TO PREVENT MOVEMENT OF UNAUTHORIZED PERSONNEL. ALL DOORS SHOULD REMAIN CLOSED UNTIL ORDER IS RESTORED IN THE

BUILDING.

- 2. NOTIFY CENTRAL CONTROL ROOM OFFICER OF THE PROBLEM AT HAND AND KEEP A LINE OF COMMUNICATION OPEN TO CCR WITH CONTINUOUS UP-DATES OF THE SITUATION.
- 3. NOTE THE POSITION OF ALL STAFF. SECURE THOSE THAT CAN BE WITHOUT JEOPARDIZING THE SECURITY OF THE UNIT.
- 4. REMOVE ALL KEYS AND KEY LISTING FROM CONTROL ROOM, KEEPING THE KEY TO THE TRAP DOOR AND ONE CONTROL BOARD KEY ON YOU, ALL OTHERS SHOULD BE PASSED DOWN TO THE BOTTOM LEVEL OF CONTROL.
- 5. SHUT DOWN ALL NON-ESSENTIAL EQUIPMENT AT THIS TIME. REMOVE ALL CONTROL BOARD KEYS. SHUT OFF ALL DAYROOM PHONES. SHUT OFF ALL MONITORS IN THE CONTROL ROOM.
- 6. DISCONNECT THE BASE RADIO AND LOWER IT DOWN TO THE LOWER LEVEL. KEEP THE HAND HELD UNIT ON FOR COMMUNICATIONS WITH CENTRAL CONTROL.
- 7. AFTER ALL THE ABOVE HAS BEEN ACCOMPLISHED, THE CONTROL ROOM PERSONNEL IS STILL EXPECTED TO REMAIN IN THE CONTROL ROOM UNTIL THE LAST POSSIBLE MINUTE AND GIVE INFORMATION TO THE SHIFT COMMANDER. THIS INFORMATION COULD BE VITAL IN THE RETAKING OF THE UNIT IN CASE OF RIOT.
- 8. AT THE LAST POSSIBLE MINUTE WHEN EVACUATION OF THE CONTROL ROOM IS NECESSARY, THEN INFORM CENTRAL CONTROL THAT YOU ARE LEAVING THROUGH THE ESCAPE HATCH. EXIT THROUGH THE ESCAPE HATCHES AND LOCK THEM BEHIND YOU.
- 9. WAIT IN THE BOTTOM LEVEL ROOM UNTIL RELIEVED.

PPD's 357 Contraband Detection

390 Processing Spot, Disciplinary, Incident and Intelligence Reports 365 Master Movement and Resident Identification

382 Use of Force

1069 Reading the Post Order

XI. ATTACHMENTS:

Post Order Signature Sheet

CDECIAL	HOUSING UNIT	CONTROL	ROOM OFFICER	POST ORDER
SPECIAL.	HOUSING UNIT	CONTROL	KUUW UTTIEEK	PUST ORDER

My signature b	elow affirm	ns that I have	e read and	understand	the Orders for	this Post:

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