 <p>CD-082800</p>	<p>NEW MEXICO CORRECTIONS DEPARTMENT</p> <p><i>"We commit to the safety and well-being of the people of New Mexico by doing the right thing, always."</i> Courage Responsibility Ethics Dedication - CREDibly serving the public safety of New Mexico</p>	
	<p>ISSUE DATE: 06/12/03</p> <p>EFFECTIVE DATE: 06/12/03</p>	<p>REVIEWED: 07/11/18</p> <p>REVISED: 07/11/18</p>
	<p>TITLE: Lump Sum Awards</p>	

AUTHORITY:

NMSA 1978, Section 33-2-34 as amended.

REFERENCES:

ACA Standards 4-4441, 4-4461 and 4-4480, *Standards for Adult Correctional Institutions*, 4th Edition.

PURPOSE:

To provide Lump Sum Awards for inmates who engage in a heroic act of saving life or property or engage in extraordinary conduct far in excess of normal program assignments that demonstrates the inmate’s commitment to habilitate himself or herself and for participation in approved programs designed to meet the inmate’s needs for re-entry into the community.

APPLICABILITY:

All inmates committed to the New Mexico Corrections Department, with the exception of inmates serving life sentences for capital offenses.

FORMS:

- A. **Recommendation for Lump Sum Good Time Award** form (*CD-082801.1*) (2 pages)

ATTACHMENTS:

- A. **Approved Programs Eligible for LSA Consideration** Attachment (*CD-082801.A*) (1 page)

DEFINITIONS:

- A. *Behavioral Health Service Programming*: Programming that encompasses both mental health and/or substance use. The programming for mental health addresses erroneous, maladaptive, and intrusive patterns relating to people and the world in general; examples are the Community Reintegration Unit and Anger Management. The programming for substance use enhances the inmate’s understanding of addictive, compulsive, or

obsession like behaviors, related to illegal drugs, prescription medication, alcohol or other variables for which a person may form a dependency; an example is Residential Drug Abuse Program (RDAP).

- B. Assigned Programs: Programs provided by Education/Career Technical Education (CTE) and/or Behavioral Health Services, ; designed for the purpose of providing for the habilitation of inmates by enhancing inmates employability, coping and/or social skills, academic proficiency, or the inmate's ability to avoid criminal behavior and/or further incarceration. Additionally, programs must be approved at the Deputy Secretary Level and must meet Provider Certification and Program Certification.

- C. Career Technical Educational (CTE) Programming: Programming which enhances the employability of inmates through formal classroom attendance or on-the-job apprenticeship or experience. Examples include, but are not limited to, residential plumbing, residential electrician, auto body repair, etc.

- D. Classification Committee: For purposes of this policy:
 - 1. At facilities/units with Unit Management, the Classification Committee shall be composed of the Unit Manager, Classification Supervisor as well as a security representative, Sergeant or above. For Special Management a representative from the Behavioral Health Department shall serve on the classification committee as required by policy.

If a Unit Manager or Classification Supervisor is not available; a Classification Officer with over one year of experience in classification may serve on the Classification Committee as acting Classification Supervisor. If a Sergeant or above is not available, a Correctional Officer may serve as acting Sergeant.
 - 2. At facilities without Unit Management the Classification Committee shall be composed of the Classification Supervisor, and as well as a security representative, Sergeant or above.

If a Unit Manager or Classification Supervisor is not available; a Classification Officer with over one year of experience in classification may serve on the Classification Committee as acting Classification Supervisor. If a Sergeant or above is not available, a Correctional Officer may serve as acting Sergeant.

- E. Clear Conduct: Absence of both Major and Minor misconduct reports.

- F. Criminal Management Information System (CMIS): An automated computer system used by the Corrections Department for the tracking of the status of offenders.

- G. Current Term of Incarceration: Any sentence that the inmate is currently serving as well as any previous concurrent or consecutive counts of cause numbers that the inmate has already served provided that the inmate has not yet been released from a facility on parole or discharged.

- H. Educational Programming: Programming which enhances an inmate's ability in reading and writing, mathematics or another category of education proficiency. Examples include, but are not limited to, obtaining a High School Equivalency Credential, Associates, Bachelors, or Graduate degree or when approved by the UMT, due to ADA or concerns related to disability, partial completion of programs or participation in programming.
- I. Exceptional Service for the Benefit of the Public or the Department Award: An LSA for an inmate who devotes a great deal of time and expertise in performing an exceptional service for the benefit of the public or the Department. Exceptional Service Awards do not include acts in performance of normal work duties.
- J. Exemplary Work/Program Participation: Receipt of maximum MGT, EMD, or MD based on active participation in approved programs.
- K. Facility Program Manager: The individual responsible for the overall functioning of a program within each facility, for example, Behavioral Health Supervisor or Supervisor of Education. This person is responsible for assuring that documentation of Program Certification Criteria is available for inspection and presentation to the applicable New Mexico Corrections Department Bureau Chief or other authorized auditor upon request.
- L. Lump Sum Award (LSA): An amount of good time awarded to an inmate for: participation and successful completion of NMCD approved programs; engaging in a heroic act of saving life or property; or engaging in extraordinary conduct far in excess of normal program assignments, reducing the time remaining to serve on the inmate's sentence of incarceration.
- M. Offender Management Program (OMP): A module within CMIS used for scheduling and tracking inmates program and work assignments.
- N. Program Assignment: Assignments which include, but are not limited to:
 - a. Corrections Industries, porter, barber, food service, outside work detail, inmate work crews, etc.
 - b. High School Equivalency Credential, CTE (all varieties), Adult Education, college courses, cognitive education, etc.
 - c. RDAP, etc.
 - d. Group therapy, Anger Management, Sex Offender Treatment, etc.
- O. NCCER: National Center for Construction Education and Research.
- P. Program Certification: Program Certification is to assure a minimal level of uniformity, consistency and quality of approved programs among different facilities.

- Q. Provider Certification: Facility Program Manager has certified that the instructor or Provider of the approved program is qualified and credentialed by the New Mexico Corrections Department to independently provide the designated programs.
- R. Predatory Behavior Management Program (PBMP): Lump Sum Award will not be granted for PBMP programs except where mandated by statute.


POLICY:

- A. All inmates shall be allowed the opportunity to earn Exceptional Service for the Benefit of the Public or the Department Lump Sum Awards. i.e engaging in a heroic act of saving life or property or engaging in extraordinary conduct far in excess of normal program assignments that demonstrates the inmate's commitment to habilitate himself or herself.
- B. All inmates that meet the eligibility requirements shall be allowed the opportunity to earn Lump Sum Awards for participating in and successfully completing approved programs that are designed to meet the inmate's needs for re-entry into the community.
- C. Approved Programs for which inmates are eligible for LSA's must be administered and delivered from within the following departments at the facility level: Behavioral Health Services and Education Services.
- D. It is important to note that the actual delivery of programming is solely based upon the resources available at each facility, as well as the needs of the inmate population at each facility.
- E. The Department shall provide incentives for educational, Cognitive and/or CTE participation and formal recognition of specific accomplishments. **[4-4480]**
- F. Inmates shall be compensated for work performed. Incentives such as monetary compensation, special housing, extra privileges, and good time credits shall be distributed according to written guidelines. **[4-4461]**
- G. At facilities where a drug and alcohol treatment program exists, there shall be documented incentives for targeted treatment programs to increase and maintain the inmate's motivation for treatment. **[4-4441]**



David Jablonski, Secretary of Corrections
New Mexico Corrections Department

07/11/18
Date

 <p>CD-082801</p>	<h1 style="text-align: center;">NEW MEXICO CORRECTIONS DEPARTMENT</h1> <p style="text-align: center;"><i>"We commit to the safety and well-being of the people of New Mexico by doing the right thing, always."</i> Courage Responsibility Ethics Dedication - CREDibly serving the public safety of New Mexico</p>	
	ISSUE DATE: 06/12/03	REVIEWED: 07/11/18
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AUTHORITY:
CD-082800

PROCEDURES: [4-4461] [4-4480]

In addition to an inmate's eligibility for quarterly good time, the inmate may also be eligible for Lump Sum Awards. An inmate may be eligible for a Lump Sum Good Time Award, not to exceed one (1) year per award and not to exceed a total of one (1) year for all LSA's awarded in any consecutive twelve (12) month period.

A. General Eligibility Criteria:

1. The effective date to reconsider Lump Sum Awards (LSA) that were awarded based on the commensurate language is November 1, 2016 (completion of program).
2. All programs must meet program certification.
3. Each program must consist of a minimum of 100 hours of supervised activity on the part of inmate participants with exception to the High School Diploma or High School Equivalency Credential.
4. All programs must be referred with a program plan that contains a curriculum, a statement as to the purpose of the program, program objectives, and a mechanism to assess successful completion through the responsible Division Director or Bureau Chief to the Deputy Secretary for approval.
5. Faithful observance of the rules of the institution is demonstrated by six (6) months (or since arrival at RDC, whichever is shorter) clear conduct of minor reports, twelve (12) months clear of a major report and exemplary work/program participation from the incident date of the last misconduct report to the date of the specific act or of the completion of the program qualifying the inmate for the lump sum award.
6. If an inmate is away from the facility for thirty days or less due to medical issues or court appearances and his/her good time is prorated due to that absence, the inmate may still be considered for an LSA as long as all other criteria are met.
7. If an inmate sanctioned to serve disciplinary segregation is not placed into segregation to serve the sanction within one (1) year from the date of final

disposition through no fault of his or her own, the inmate may still be considered for an LSA as long as all other criteria are met.

8. If an inmate, who has maintained clear conduct for six (6) months of minor reports, twelve (12) months clear of a major report and has otherwise met the eligibility requirements for an LSA, subsequently receives a Misconduct Report, the Classification Committee shall still consider the inmate for the LSA and the subsequent Misconduct Report may be considered as a factor in the LSA decision.
9. For all inmates whose good time falls under either policy *CD-080600* (MD) or policy *CD-080200* (MGT), approved programs must be in addition to normal work or programs that are assigned by the classification committee for which inmates are earning monthly good time and the inmate must still be assigned to the program(s) through the Supervisory Review process. For example, an inmate who is recommended for an LSA for having completed a substance abuse program must also be participating in a normal program assignment such as a job, education, etc., to be eligible for the LSA. As another example, an inmate whose only program assignment is to participate in a RDAP may not receive a lump sum award for completing the RDAP program.
10. For all inmates whose good time falls under policy *CD-080400* (EMD), approved programs do not have to be in addition to normal work or programs that are assigned by the classification committee for which inmates are earning monthly good time.

Inmates assigned to multiple programs or to a combination of work and program assignments may not have conflicts in their schedules. For example: If an inmate is assigned to a work program from 7:30 AM to 2:30 PM, he cannot be assigned to an education program between the hours of 7:30 AM and 2:30 PM.

11. All programs must be approved at the Deputy Secretary level. The Director of Adult Prisons or the appropriate bureau chief must submit a program plan that contains a curriculum, a statement of the purpose of the program, program objectives, and a mechanism to assess successful completion of the program.
12. Inmates are not eligible for an LSA award if the completion date of the program is within 90 days of the projected release date with the Lump Sum factored in. Utilize calendar calculator.

EX. PROGRAM COMPLETE DATE: ADD 90 days

If the addition of the LSA means the PRD is less than 90 days the inmate is ineligible for LSA based on the "90 day rule"

If the addition of the LSA means the PRD is more than 90 days the inmate is eligible for LSA (90 day rule will NOT apply)

For Example:

12/08/2015 + 90 days = 3/7/2016 if the PRD is 3/8/2016 or after the inmate is eligible
12/08/2015 + 90 days = 3/7/2016 if the PRD is 3/7/2016 or before- the inmate is not eligible.

B. Specific Award Eligibility Criteria:

1. For engaging in a heroic act of saving life or property, performing exceptionally meritorious service, engaging in extraordinary conduct for the benefit of the state or the public that is at great expense, risk or effort on behalf of the inmate, or engaging in extraordinary conduct far in excess of normal program assignments that demonstrates the inmate's commitment to habilitate him or herself.
2. For successful completion of approved programs:
 - a. Approved programs must meet Provider Certification and Program Certification.
 - b. Inmates must be assigned by Classification Supervisory Review process prior to being enrolled in any programs by the facility program providers.
 - c. Each program should consist of a minimum of 100 hours of supervised activity on the part of inmate participants (programs that are less than 100 hours of supervised activity shall be reviewed on a case-by-case basis).
 - d. An inmate is eligible for only one (1) Lump Sum Award per program listed in the **Programs Approved as Eligible for LSA Consideration** table and may not be combined with the use of a certificate or lateral Degree.
3. For Educational Achievement:

In addition to an inmates' eligibility to earn good time based on participation in educational or CTE programs, inmates are also eligible to receive Lump Sum Awards based on their educational or CTE achievements while actively completing educational or CTE programming. These achievements are as follows:

 - a. High School Diploma or High School Equivalency Credential, three (3) months.
 - b. Associate's degree, four (4) months.
 - c. Bachelor's degree, five (5) months.
 - d. Graduate degree, five (5) months.
 - e. In order to qualify for LSA for earning an Associates degree, a Bachelor's degree or Graduate degree, the education program leading to the degree or graduate qualification must either be provided by the Department or a Department contractor or subcontractor; or the entity providing the education program must be an accredited institution and the program must be approved in

advance by the Department's Education Bureau, the Classification Committee and the Warden.

- f. All LSA's for educational or CTE programming including classes purchased by the offender must be validated and approved by the Superintendent or designee. Certificates that are not normally accepted by the Board of Education shall be rejected.
 - g. An inmate may be awarded only one (1) lump sum award for receiving a High School Equivalency Credential.
 - h. An inmate may be awarded only one (1) lump sum award for receiving an Associates degree. Subsequent Associates degrees are not eligible for an LSA and may not be combined with any CTE college credits.
 - i. An inmate may be awarded only one (1) lump sum award for earning a Bachelor's degree. Subsequent Bachelor's degrees are not eligible for another LSA.
 - j. An inmate may be awarded only one (1) lump sum award for earning a Master's Degree. Subsequent Master's Degrees are not eligible for another LSA.
 - k. If an inmate has a demonstrable physical, Behavioral health or developmental disability that prevents the inmate from successfully earning a High School Equivalency Credential (as determined by the Unit Management Team or other personnel from the appropriate department), the inmate shall be awarded three (3) months for successfully completing an approved CTE, substance abuse, or Behavioral Health program.
4. For CTE Achievement:

If an inmate passes all prescribed tests at all levels of any approved NCCER Craft Assessment (Journey Level Exam i.e. plumbing levels 1 through 4 not including the final exam) without having any previous certification or need to participate in the CTE program assignment, the inmate may receive a one month Lump Sum Award upon certification of completing the final exam.

- a. CTE Programming provided by college courses shall only be awarded the LSA upon completion of AA and/or BA or BS. Any LSA that is awarded for a CTE that is attached with college credits will not be awarded the LSA for receiving a degree using the same college credits that was applied to the CTE LSA.

5. Exceptional Service for the Benefit of the Public or the Department Award:

An inmate may be eligible for a LSA for exceptional service if he/she devotes a great deal of time and expertise in performing an exceptional service for the benefit

of the public or the department. However, exceptional service shall not include acts in performance of normal work duties.

6. The Food Services Management program shall only be coordinated through the Education Bureau. The Education Manger shall be responsible for reviewing and approving the recommendation and verifying the inmate's eligibility and documented participation in the program for the Lump Sum Award.
7. Lump Sum Awards that are not associated with educational achievement or completion of Approved Programs may not be solicited by an inmate.

C. Procedural Review:

Any employee may recommend that an inmate receive a Lump Sum Award for engaging in a heroic act of saving life or property, performing exceptional service, engaging in extraordinary conduct for the benefit of the state or the public that is at great expense, risk or effort by the inmate, or engaging in extraordinary conduct far in excess of normal program assignments that demonstrates the inmate's commitment to habilitate himself or herself. The LSA is based on calendar days. Director of Adult Prisons is the only one to approve exceptional service LSA's

1. For successful completion of approved programs, the LSA recommendation from the Instructor or Provider must indicate the dates and number of verified supervised hours of the inmate's participation, quality of the inmate's participation and that the Program Certification requirement has been satisfactorily met.
2. For Educational Achievement, the LSA recommendation from the Instructor or Provider must indicate the date the educational achievement was accomplished. The LSA is awarded based on state statute (i.e. each month awarded will be equivalent to 30 calendar days).
3. For Exceptional Service for the Benefit of the Public or the Department Award, the LSA recommendation from the recommending employee must demonstrate the manner by which the inmate devoted a great deal of time and expertise in performing an exceptional service for the benefit of the public or the Department.
 - a. If the basis for the LSA recommendation is that the inmate worked on a project that saved money for the Department, the recommendation must indicate the amount of money that was saved.
 - b. Any special projects, for which inmates are eligible for recommendation for an LSA, must have prior written approval of the Warden or Deputy Warden.
4. All LSA recommendations must include a detailed written explanation of the reason for the recommendation to the responsible facility program manager (i.e.,

Supervisor of Education, Mental Health Supervisor, and Behavioral Health Manager). The **Recommendation for Lump Sum Good Time Award** form (*CD-0802801.1*) must be completed.

5. All LSA recommendations must include:
 - a. A synopsis of the verified supervised program hours participated in
 - b. For Education: a copy of the original certificate and or degree affiliated with a college, or certification, or licensure, and/or those that are not affiliated with a college, certification, and/or licensure, a copy of their original facility certificate of completion of the program from the responsible facility program manager (i.e. Supervisor of Education, Behavioral Health Supervisor)
 - c. For Education: a copy of the participants official testing scores, if the course entails testing scores
 - d. For Education/Behavioral Health: a copy of their classification chrono assigned and removal from the program (supervisory/classification committee review)
 - e. For Behavioral Health: A copy of completed supervised hours and certificate of completion.
6. The responsible facility program Facilitator will submit the recommendation and verify the inmate's eligibility and documented participation in the program for the Lump Sum Award.
7. The responsible supervisor will review the proposal and must recommend approval, denial, or return the LSA recommendation to the recommending Facilitator for re-submission if the recommending Facilitator failed to include all required information on the LSA recommendation or if the requesting Facilitator cannot provide documentation supporting satisfactory program participation.
8. The Classification Officer shall be responsible for ensuring all documentation from program providers meets policy criteria and will attach a copy of the Committee action assigning the inmate to the program to the LSA packet. The Classification Officer will then review the inmate's file to ensure he or she meets the following policy criteria and complete the LSA packet information:
 - a. Clear conduct for at least six months of minor reports, clear conduct for twelve months clear of major reports from the incident date of the last misconduct report through the completion of program.
 - b. Has earned full good time for the last 6 months or has applicable exceptions.
 - c. Number of LSAs and days earned within the last twelve (12) months.
 - d. Date inmate assigned by Committee action to the program (copy of chrono attached).
 - e. Current Projected Release Date and PRD with LSA figured in.

9. The Classification Officer will make a recommendation and forward the completed LSA packet to the Unit Manager or Contract Monitor for review.
 10. The Superintendent or Bureau Chief will review the proposal and must recommend approval, denial, or return the LSA recommendation to the recommending Facility Supervisor for re-submission if the recommending Facilitator failed to include all required information on the LSA recommendation or if the requesting Facilitator cannot provide documentation supporting satisfactory program participation.
 11. The Superintendent or Bureau Chief will then forward all documentation to OMS for tracking and final review.
 12. The Director or Deputy Director or Designee (OMS) will review each case individually and has final authority to determine the number of days awarded.
 13. OMS will return the LSA packet to the facility.
 14. The Records Manager will return the LSA packet to the Classification Officer who will have 10 working days to schedule the inmate for a Supervisory Review and for the LSA as determined by the Director or Deputy Director of Adult Prisons.
 15. For an inmate in a federal or out-of-state facility, Lump Sum Awards may be initiated by the office of the Classification Bureau Chief, but the Director or Deputy Director of Adult Prisons shall determine any award.
 16. A Lump Sum Award recommendation that has been denied by the Director or Deputy Director of Adult Prisons due to the inmate's failure to meet the eligibility criteria may not be reconsidered for the same Lump Sum Award at a later date (even if the inmate completes the program again), unless the basis for the original denial resulted from a misconduct report that was later dismissed and the inmate otherwise qualified for the Lump Sum award. However, the inmate may be considered for another LSA at a later date based on the inmate's completion of a different program or project.
- D. If an inmate is released on parole or discharged and is returned to prison as a parole violator or new commitment, the inmate shall not be eligible for a Lump Sum Award based on actions or programs participated in or completed prior to the inmate's original release.
- E. All Lump Sum Awards shall be recorded in the inmate's file and entered into the CMIS by the Institutional Records Manager. The only staff authorized to post Lump Sum Awards are the Records Manager or a Records Coordinator.
- F. All inmate participation in LSA programs shall be thoroughly documented and retained for program review and auditing purposes.

G. Decisions on LSA awards except on cases described above may not be appealed.



David Jablonski, Secretary of Corrections
New Mexico Department of Corrections

07/11/18
Date

NEW MEXICO CORRECTIONS DEPARTMENT
Approved Programs Eligible for LSA Consideration

Program	Length of Program	Award	Requirements
Behavioral Health Programs			
RDAP	500 hours	4 months	Upon Successful Completion
Outpatient Recovery Program	100 hours	1 month	Upon Completion of 100<hours of programming & recommendation by Addictions staff
SOTP	18-24 months	3 months	Upon Successful Completion
Education Programs			
Moral Reconation Therapy (MRT)	100 hours	1 month	Upon Successful Completion
MRT-Domestic Violence	100 hours	1 month	Upon Successful Completion
Charting a New Course	100 hours	1 month	Upon Successful Completion
Career Technical Programming			
Fire Fighting Tech	300 hours	1 month	Upon Certification
Introduction to Computers	200 hours	1 month	Upon Successful Completion
C-Tech Network Cabling	125 hours	1 month	Upon Certification
Plumbing	549 hours	1 month	Upon Certification
Electrical	569 hours	1 month	Upon Certification
Carpentry	648 hours	1 month	Upon Successful Completion
HVAC	554 hours	1 month	Upon Certification
Welding	1074 hours	1 month	Upon AWS Certification
Automotive Technology	595 hours	1 month	Upon Certification
Culinary Arts	100 hours	1 month	Upon Successful Completion
Barbering	1200 hours	1 month	Licensure
Additional Programs			
ROC (Restoration into Population Program)			Refer to CD-082700 Restoration into Population Program