AUTHORITY:

A. NMSA 1978, Sections 30-25-1 and 33-1-6, as amended.
B. Policy CD-010100.
C. Policy CD-133000.

REFERENCE:


PURPOSE:

To make inmates accountable for their conduct and statements when making allegations against staff or other inmates that, by the very nature of the allegation, would necessitate an investigation.

APPLICABILITY:

All employees and inmates of the New Mexico Corrections Department.

FORMS:

Inmate Sworn Statement form (CD-150600.1)

ATTACHMENTS:

None

DEFINITIONS:

Perjury: Making a false statement under oath or affirmation, material to the issue or matter involved in the course of any judicial, administrative, legislative, or other official proceeding, knowing such statement to be untrue.

POLICY:

A. Any inmate making an allegation, verbal or written, against a member of the staff or against another inmate may be requested by the Department to be sworn by a notary public. The inmate is to be advised in writing that the inmate is furnishing a sworn
statement having full knowledge that the information the inmate is furnishing is material to the issue or matter involved in the course of, or will initiate an official administrative proceeding, and that if the information is knowingly false, the penalty of perjury under NMSA 1978, Section 30-25-1, attaches using Inmate Sworn Statement form (CD-150600.1).

B. If the information furnished by the inmate is proven by investigation to be knowingly false, the inmate may be charged with a major offense before the Disciplinary/ Hearing Officer under the general principles of inmate discipline which impart that any act, although not specifically listed, is a felony under the Criminal Code of the State of New Mexico and will constitute a major violation of policy.

C. Rule violations that require a formal resolution shall be submitted in a written disciplinary report and forwarded to the designated supervisor. [4-4232]

[Signature]
David Jablonski, Secretary of Corrections
New Mexico Corrections Department

07/31/18
NEW MEXICO CORRECTIONS DEPARTMENT

Inmate Sworn Statement

I, _____________________________, hereby state the following is true and correct to the best of my knowledge:

Any inmate making an allegation against a member of the staff or against another inmate may be requested to be sworn by a notary public. The inmate is to be advised in writing that the inmate is furnishing a sworn statement having full knowledge that the information the inmate is furnishing is material to the issue or matter involved in the course of, or will initiate an official administrative proceeding, and that if the information is knowingly false the penalty of perjury under NMSA 1978, Section 30-25-1, attaches.

Inmates Statement:

Inmate Name: ___________________________ NMCD #: ___________ Date: ___________

(Fill in or Attach Statement)

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Page 1 of 2
Inmate Sworn Statement (Continued)

Inmate Signature ____________________________ Date ______________________

Signed before me this _______ day of ______________ , 201_ , by ____________________.

Notary Public ________________ My Commission Expires: ________________

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