



Corrections and Rehabilitation

**POLICY & PROCEDURES**

**POLICY NUMBER AND SECURITY:**

3A-28 – One of the following can be placed after the policy number:

- This policy has no confidential or exempt information.
- This policy may contain confidential or exempt information; please consult with the Records Coordinator prior to disclosure.

**RELATED STANDARDS (such as ACA/ACI/ACRS/PREA):**

**RELATED REFERENCES:**

Appendices:

Manuals:

•  
Related DOCR Training:

•

Note:

**DIVISION:**

Division of Adult Services

**FACILITY/WORK GROUP:**

Heart River Correctional Center

**TOPIC:**

Nursery Program

Effective Date:

**Summary of Revision or Revisions**

New policy written by Cheryl Thomas.

1. **AUTHORITY:** Authority for this policy with procedures is found in chapters 32-12.2 and 54-23.3 of the North Dakota Century Code. *(This may be different depending on the policy)*
2. **APPLICABILITY:** This policy with procedures applies to all employees of the Department of Corrections and Rehabilitation. *(This may be different depending on the policy)*
3. **DEFINITIONS:**
  - A. Incarcerated Mother: An adult in custody that is sentenced to the legal and physical custody of the Department of Corrections and Rehabilitation (DOCR) that is expecting a child.
  - B. Nursey Program: A child and mothers' unit within the Heart River Correctional Center (HRCC) that allows an incarcerated mother to form attachments with their child while incarcerated.
  - C. Nursery Caregiver: An adult in custody that is certified to provide care for children in the Nursery Program.
  - D. Nursery Program Committee: A Heart River Correctional Center (HRCC) committee that reviews all applications for participate in the Nursey Program.
  - E. Nursery Program Coordinator: A position that has oversight and coordination of the Nursery Program.
  - F. Warden: The decision-making authority for their respective institutions.
4. **POLICY:** The department will offer opportunities for eligible pregnant incarcerated mothers to establish a healthy mother/child attachment while promoting positive parenting skills as well as providing an increased opportunity for successful re-entry to the community. This program supports the goal of the North Dakota Health & Human Services and the Child and Family Services division by keeping a mother and child together.
5. **PROCEDURES:**
  - A. Eligibility:
    1. Incarcerated mothers must meet the following criteria to be eligible to participate in the Nursery Program.
      - a. Pregnant before arriving at the Heart River Correctional Center (HRCC) and expecting to give birth while housed at the HRCC.
      - b. The incarcerated mother must affirm they will be the primary caregiver of the child upon their release.
      - c. Parole Board Review or Good Time Release Date is within 18 months of the birth of the baby.

- d. The incarcerated mother must receive immediate and ongoing medical and mental health clearance to participate in the program.
- e. The incarcerated mother will follow immunization requirements, including exemptions, as recommended by ND Health and Human Services.
- f. The incarcerated mother will follow immunization requirements, including exemptions, as recommended by ND Health and Human Services for her child.
- g. The child's father must be in agreement for the child to live with the incarcerated mother at HRCC.
- h. The incarcerated mother with the following offenses will require additional review and approval from Director of the Department Corrections and Rehabilitation:
  - 1.) 12.1-16 Homicide (includes murder and manslaughter)
  - 2.) 12.1-17-02 Aggravated Assaults
  - 3.) 12.1-17-01.2 Domestic Violence
  - 4.) 12.1-17-03 Reckless Endangerment
  - 5.) 12.1-17-04, 07 & 07.1 Terrorizing, Harassment, Stalking
  - 6.) 12.1-18 Kidnapping – Felonious restraint
  - 7.) 12.1-20 Sex Offenses
  - 8.) 12.1-27.2 Sexual Performance by Children
  - 9.) 12.1-29 Prostitution
  - 10.) 12.1-36 Female Genital Mutilation
  - 11.) 12.1-40 Human Trafficking
  - 12.) 14-09-22 Abuse of a child
  - 13.) 14-09-22.1 Neglect of child
  - 14.) No contact or protection orders with the child.
  - 15.) Sex Offender registration requirement.
  - 16.) Offender Against Children registration requirement.
- i. Attempts, conspiracy or solicitation to commit these offenses. Past history, including prior convictions, may also restrict participation. Any incarcerated individuals pending charges and

mental health history may be taken into consideration for each applicant.

- j. An incarcerated mother must follow all general rules and regulations of HRCC and the Resident Handbook.
- k. An incarcerated mother is subject to the same disciplinary procedures as general population.

B. Application process:

1. HRCC will form a Nursery Program Committee to consist of the following positions:
  - a. Women's Services Manager
  - b. Deputy Warden
  - c. Nursery Program Coordinator
  - d. Director of Nursing
  - e. Health Authority
  - f. Treatment Coordinator
  - g. Unit Managers
  - h. Case managers
2. The Nursery Program Committee will meet as needed to review applications.
3. The Nursery Program Coordinator will make a written recommendation to the Warden.
4. If denied, the incarcerated mother may appeal the decision of the Warden to the Deputy Director of Adult Services.
5. The incarcerated mother must complete and turn in all necessary paperwork for program consideration:
  - a. Nursery Program Application
  - b. Waiver of Liability
  - c. Nursery Program Agreement
  - d. Release of Information
  - e. Emergency/Community Caregiver Application

6. Upon receipt of the above forms, the Nursery Program Committee will review all submitted applications for review and approval into the program.

C. Care of the child:

1. The incarcerated mother will be responsible for the care of their child.
2. The incarcerated mother must provide for the daily needs of their child, such as waking, dressing their child and the following:
  - a. Feeding:
    - 1.) An incarcerated mother may breast feed with medical approval.
      - a.) Breast feeding may be done as necessary.
      - b.) Proper hygiene must be followed.
      - c.) Bottle preparations including formula, milk, water and sanitation of equipment and proper storage of all food products.
      - d.) Introduction to cereal and food other than breast milk or formula will follow the Dietary Guidelines for the Americans and the American Academy of Pediatrics.
    - 2.) Food, formula, milk and water will be provided by HRCC.
  - b. Bathing, the infant and child soap, shampoo and other hygiene products, such as diapers will be provided by HRCC.
  - c. Laundry:
    - 1.) Child clothing will be provided by HRCC.
    - 2.) Laundry facilities and detergent for the child, will be available.
  - d. The Nursery Program Coordinator will address any other additional needs of the incarcerated mother or child.
  - e. Sleeping arrangements:
    - 1.) HRCC will provide approved cribs.
    - 2.) The child will sleep in the same room as it's incarcerated mother.
  - f. Child's property:



- 1.) The incarcerated mother is responsible for their child's property.
  - 2.) The incarcerated mother is responsible to ensure their child's property is sanitized and properly stored.
  - 3.) The child is not allowed any receive any piercings or wear jewelry while in the Nursery Program.
3. The incarcerated mother will have the opportunity to apply for programs overseen by the ND Department of Health and Human Services, such as Women, Infants & Children (WIC) Program, Supplemental Nutrition Assistance Program (SNAP).
  4. HRCC will provide opportunities for the incarcerated mother to securely maintain their child's records until release. These files may include the following:
    - a. Birth Certificate
    - b. Social Security Card
    - c. Immunization records
    - d. Insurance/Medicaid Card

D. Programming

1. The incarcerated mother must attend classes offered in the nursery, to include enrichment classes for parents or children.
2. Nursery participants are required to attend all workshops, guest speakers or seminars provided by the Nursery Program.
3. Nursery participants must be involved in assigned case planning programming.
4. The incarcerated mother must fulfill a half-time assignment off the unit, if medically approved. Assignments may include:
  - a. ABE/GED classes
  - b. Assigned groups
  - c. Institutional work

E. Mobility of the child:

1. It is the incarcerated mother's responsibility to arrange care for their child upon leaving the unit.
2. The incarcerated mother must schedule for a Nursery Caregiver to care for their child prior to leaving the unit.

3. The incarcerated mother must notify staff if she is leaving the unit with or without their child and provide staff with who is caring for the child.
4. Incarcerated mothers and their child are encouraged to be outside each day, when weather permits. The child must be in appropriate outside clothing during corresponding weather.
5. The child may go to activities and special events with their incarcerated mother, as approved by the Nursery Program Coordinator.
6. Incarcerated mother and their child may participate in visitation.
7. Incarcerated mothers and their child must follow the family visitation rules and regulations as any other visitor. Items allowed in visitation are as follows:
  - a. Two bottles
  - b. Four diapers and wipes
  - c. Pacifier
  - d. Blanket
  - e. One personal toy
8. Children are not allowed in the following areas:
  - a. Incarcerated mothers programming or classes that are assigned by the case planning committee.
  - b. Incarcerated mother's medical appointments or procedures.
9. A child may be restricted from areas within HRCC.

F. Nursery Caregivers:

1. HRCC will provide the opportunity for Nursery Caregiver positions as institutional work.
2. Nursery Caregivers must complete a job application and successfully complete an interview with an interview committee.
3. Nursery Caregivers must have a high school diploma or GED.
4. Nursery Caregivers must have a maintain a good institutional behavior.
5. Nursery Caregivers must complete all training, as designated by the Nursery Program Coordinator.
6. Nursery Caregiver positions will not be in direct conflict of assigned case planned programs.

7. Nursery Caregivers must sign and follow a Nursery Caregiver Agreement.
8. Nursery Caregivers will generally not care for more than two children at a time. In the case of an emergency the Nursery Caregivers may be given approval to care for more than two children at a time, as assigned by the Nursery Program Coordinator.

G. Medical care for the incarcerated mother and child:

1. The incarcerated mother will receive medical care from the DOCR and HRCC medical department or contracted providers.
2. The incarcerated mother will sign their child up with ND Medicaid.
3. The child will receive regular medical checkups and any other medical needs through a contracted pediatric medical provider.
4. The incarcerated mother will attend medical appointments of their child, along with HRCC staff.
  - a. HRCC will provide approved child car seats and transportation to and from these appointments.
  - b. In the event that a child needs to be hospitalized, the Warden must grant approval in order for the incarcerated mother to accompany the child.
  - c. Medications prescribed to the child will be provided by a community pharmacy.
  - d. Medication administration of the child:
    - 1.) Medication times will be observed and documented by HRCC staff.
    - 2.) Medications will be locked and stored by DOCR policy.
    - 3.) Over the counter medication, such as Tylenol or Ibuprofen, may be given according to ND Department of Health and Human Services instructions.

H. Removal from the Nursery Program:

1. Voluntary requests for removal must be written by the incarcerated mother and submitted to the Nursery Program Coordinator.
2. Involuntary removal from the program may result from any of the following:
  - a. Suspicion of physical, sexual, emotional or mental abuse or neglect of the child.



- b. Physical altercations of any kind between program participants or other incarcerated individuals, DOCR employees.
  - c. Placement of the incarcerated mother into the Special Assistance Unit (SAU).
  - d. Failure to participate in programming, work, education or behavioral expectations.
- 3. The incarcerated mother will be notified in writing by the Nursery Program Committee and signed off by the Warden, regarding removal from the program.
- 4. The incarcerated mother will be removed from the Nursery Program and returned to the appropriate housing assignment.
- 5. The child will be cared for by a Nursery Caregiver, as assigned.
- 6. The child will be picked up from the facility within 24 hours of the incarcerated mother's removal.
- 6. **SIGNATURE:** This policy with procedures and applicable manuals becomes effective when signed by the Director of the Department of Corrections and Rehabilitation.

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Colby Braun, Director, ND DOCR

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Date





2027 - 2029 Biennium							
Item	Number of items	Item cost	Projected Cost	Actual cost	Comments		
Crib	8	250	2000		initial cost		
Mattress & pad	8	100	800		initial cost		
Rocking chair	8	200	1600		initial cost		
Swing	2	100	200		initial cost		
Boucey chair	4	50	200		initial cost		
High chair	4	100	400		initial cost		
Diapers		840	6720		on going cost		
Wipes		300	2400		on going cost		
Formula		1500	12000		ongoing cost		
Play mat	8	50	400		initial cost		
Clothing	8	600	4800		ongoing cost		
Bottles & nipples		100	800		ongoing cost		
Bottle cleaner and sanitizer	8	70	560		initial cost		
Burp cloths	8	20	160		ongoing cost		
Nursing pillow	8	50	400		initial cost		
Bedding & Blankets		200	1600		initial cost		
Infant carseats & stroller	8	200	1600		initial cost		
Toddler car seat	8	300	2400		DOCR would buy and let mom leave with carseat - forever carseat		
Misc costs		500	4000		ongoing cost - extras (swaddle blankets), bibs, OTC medicines, diaper rash creams, shampoo, soap, sippy cups, spoons, forks, dishes, pacifiers		



Changing table pads	4	40	160		initial cost
Changing table cover	8	20	160		initial cost
Age appropriate toys			1000		initial costs
Diaper bag	8	50	400		ongoing cost
Bath toys	8	20	160		ongoing cost
Sound machine	8	60	480		initial cost
Baby Monitors	8	100	800		initial cost
Diaper pail	8	60	480		initial cost
Diaper pail refills	8	100	100		ongoing cost
Infant bathtub	4	50	200		initial cost
Infant towels	8	20	160		initial cost
Infant washcloths	8	20	160		initial cost
Baby grooming kits	8	20	160		ongoing cost
Laundry Detergent		20	240		ongoing cost
			<b>47700</b>	per year	
			<b>95400 for biennium</b>		
* per baby comments are also per one year					
* changing tables will be part of building design					
* no additional training costs					
* \$870 is the current monthly rate of a 0-4 year old in foster care.					
* no Child Care Assistance costs					





Training Requirements for Mothers, Nursery Caregivers & Staff	Type of training	Cost
CPR & AED for infant, children & adult	in person	0
First Aid	in person	0
Naloxone Administration	online or in person	0
Blood Born Pathogens/Universal Precautions	online	0
Fire Safety	online	0
Mandated Reporting	online	0
Babysitting class (Morton Co. Extension)	in person	0
Safe Sleeping	in person	0
Parenting Class (PIO)	in person	0
Early Childhood Training	in person	0

\*\* Will consult with ND Child Care Aware