

 <b>KENTUCKY CORRECTIONS</b> Policies and Procedures	Policy Number	Total Pages
	10.2	27
	Date Filed	Effective Date
	**	May 11, 2020
Authority/References KRS 196.035, 197.020 ACA 5-ACI-4A-02, 5-ACI-4A-03, 5-ACI-4A-04 through 5-ACI-4A-27, 5-ACI-4B-01 through 5-ACI-4B-34, 5-ACI-5C-08, 5-ACI-4A-01 CPP 9.1, 13.12, 13.13, 15.2, 15.6, 18.1, 18.2, 18.15 <i>Hewitt v. Helms</i> , 459 US 460 (1983) 28 CFR §115.43	Subject  <b>SPECIAL MANAGEMENT HOUSING AND RESTRICTIVE HOUSING</b>	

## I. DEFINITIONS

"Administrative control status" means an alternate, maximum security housing status for an inmate who repeatedly violates the rules of the institution or for any inmate who poses a serious threat to the safety and security of the institution, the staff, the inmate population, or himself.

"Administrative review" means a face-to-face meeting with a minimum of two staff, one of which shall be trained in classification and one shall be a unit administrator, to review, at a minimum with the inmate, their classification status.

"Administrative segregation" means segregation from the general population or special management population for a relatively short period of time, consisting of confinement to a cell, room, or highly controlled area to ensure the safety and security of the institution, the staff, or the inmate population or pending investigation of an incident if the inmate is a suspect.

"Classification Committee" means the group of Kentucky Department of Corrections personnel who meet to review classification actions as outlined in CPP 18.1 and 18.2.

"Death row" means a maximum security housing situation to control the inmate serving a sentence of death.

"Disciplinary segregation" means the segregation or confinement of an inmate from the general population or special management population in an individual cell for a specific period of time consistent with the provisions of CPP 15.2 (Rule Violations and Penalties).

"Extended Restrictive Housing" means a housing area that separates the inmate from contact with general population while restricting an inmate to his cell for twenty-two (22) hours per day or greater and for more than thirty (30) days for the safe and secure operation of the facility.

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“Health Care Staff” means an individual whose primary duty is to provide medical services to inmates in keeping with their respective levels of health care training, licensure or experience (nurses).

“Individual yard module” means 180-square feet of unencumbered space of outdoor exercise area that is uncovered or covered.

“Mental Health Authority” means a qualified mental health clinician credentialed with the responsibility to ensure the integrity of mental health care and delivery of mental health services and ensures compliance with American Correctional Association mental health expected practices.

“Mental Health Staff” means an individual whose primary duty is to provide mental health services to inmates commensurate with their respective levels of education, experience, training, and credentials (Social Service Clinician).

“Multidisciplinary service team” means multi-disciplinary committee that consists of medical providers, nurses, psychiatric providers, psychologists, security and other staff as needed working together on complex mental health and medical cases at the institutional level.

"Protective custody" means a special management program designed to provide for the safety and security of an inmate who is in danger of being harmed by any other inmate or who, for various reasons other than a rule violation, is unable to adjust to living in the general inmate population.

“Qualified Mental Health Care Provider” means mental health staff who are qualified to diagnose and treat patients with a mental illness in accordance with each health care professional’s scope of training and applicable licensing, registration, certification, and regulatory requirements (for example, psychiatrists, psychologists, licensed professional counselors).

“Qualified Medical Health Care Provider” means staff who perform clinical duties, similar to health care practitioners, social workers, and emergency medical technicians in accordance with each health care professional’s scope of training and applicable licensing, registration, certification, and regulatory requirements.

“Restrictive Housing” means an area of the institution separated from general population designated for housing offenders who pose a direct and clear threat to the safety of persons or a clear threat to the safe and secure operation of the facility where offenders are placed in cells for periods of time twenty-two (22) hours per day or greater. In order to be placed in RHU, the threat the inmate poses shall show a relationship with the criteria and behavioral issues in this policy.

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“Security staff” means any employee of the Department of Corrections whose primary job tasks include the safety and security of the institution, inmates, and staff and includes correctional officers, sergeants, lieutenants, and captains.

“Senior Correctional Supervisor” means the Shift Supervisor (rank of lieutenant or above at a Level 3 or Level 4 Security Institution or rank of sergeant or above at a Level 1 or Level 2 Security Institution), or Unit Administrator in charge of the area.

“Special Management Housing” means an area of the institution separated from general population designated for housing offenders who threaten the secure and orderly management of the institution, posing a threat to others or a danger to themselves where offenders are placed in cells for periods of time less than twenty-two (22) hours per day and out of cells seven (7) days per week.

“Step-down program” means a program that includes a system of review and establishes criteria to prepare an inmate for transition to general population or the community. Individualized programs involve a coordinated, multidisciplinary service team approach that includes mental health, case management, and security practitioners.

"Temporary holding" means an administrative segregation program where temporary holding rooms are designated as controlled housing for ensuring the safety and security of the institution, staff, or the inmate population for the purpose of pending transport or review for transport to another institution or pending investigation of an incident if the inmate is a suspect.

## II. POLICY and PROCEDURE

### A. Special Management Housing, Restrictive Housing Unit, and Extended Restrictive Housing Unit

These procedures shall apply for any inmate placed in Special Management Housing, a Restrictive Housing Unit, or an Extended Restrictive Housing Unit.

1. An inmate diagnosed with a serious mental illness, as defined in CPP 13.13, shall not be placed in Special Management Housing, a Restrictive Housing Unit, or an Extended Restrictive Housing Unit, unless the multidisciplinary service team for the institution determines there is an immediate and present danger to others or the safety of the institution.
2. An inmate shall not be placed in Special Management Housing, a Restrictive Housing Unit, or an Extended Restrictive Housing Unit on the basis of gender identity alone.
3. Special management and restrictive housing programs shall be fair and humane.

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#### 4. General Living Conditions

An inmate assigned to any special management or restrictive housing program shall be provided with the following:

- a. Housing that permits some conversation with other special management or restrictive housing inmates in the same unit.
- b. Visual observation by staff. Space shall be available either inside the RHU or external to the unit for treatment staff consultation with RHU inmates.
- c. Medication provided as prescribed.
- d. Written orientation materials upon admission to include programs, rules and regulations. When a literacy problem exists, a staff member shall assist the inmate to understand the material. Translation services or materials in their own language are to be provided if needed. The orientation shall be documented.
- e. Linen and institutional clothing.
  - (1) Clothing issued to an inmate shall be laundered.
  - (2) Clothing and linen may be exchanged on a frequent basis in lieu of arranging laundry privileges.
  - (3) Clothing and linen exchanges, if used, shall be made as often as required for the general population.
  - (4) Removal of clothing and linen, if necessary to protect the life of the inmate or as a special precaution shall be justified in writing by the Senior Correctional Supervisor and psychology staff shall be consulted as soon as possible and the Warden or designee notified. After six (6) days, an inmate shall be removed from the special precaution clothing and linen status, or if necessary, a new authorization shall be generated and approved by the Warden or designee.
- f. Items permitted for personal use and hygiene.
  - (1) See “Items permitted for personal use and hygiene” of special management housing and restrictive housing units. sections of this policy for specific limitations.

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(2) Additional canteen item purchases may be allowed at the Warden's discretion.

(3) Removal, restriction, or substitution of any item shall be justified in writing.

#### 5. Meal Service

All special management and restrictive housing unit inmates shall have the same food or food as nutritionally adequate as the food provided to the general inmate population.

a. If an inmate uses food or food service equipment in a manner that is hazardous to himself, staff, or another inmate, an alternative meal service may be provided on an individual basis.

b. The provision of an alternative meal service shall be based on health or safety considerations.

c. An alternative meal service shall: (1) meet basic nutritional requirements; and (2) have the written approval of the Warden and institutional health authority.

d. Alternative meal service may be discontinued by the Special Management or Restrictive Housing Unit Supervisor, institutional health authority, or Warden.

e. The substitution period shall not exceed seven (7) days unless it is extended with the review of the Warden and the approval of the health care practitioner.

(1) If the inmate, after resuming normal meal services, continues to use food or food service equipment in a manner that is hazardous to himself, staff, or another inmate, alternative meals may be initiated again as outlined above.

(2) The substitution period shall continue as outlined in this section.

6. Visitation shall be provided unless a documented reason for withholding visitation exists. Visitation for an inmate assigned to temporary holding may be denied due to the short holding period. The denial of visitation shall be reviewed and approved by the Warden or designee.

7. The same opportunity to write and receive letters available to the general population.

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8. Access to legal materials and legal assistance.
9. Access to reading and writing materials.
10. An opportunity to shave and shower not less than three (3) times weekly. An inmate in a temporary holding room may not be provided shower opportunities due to the short period of time in this status. If the seventy-two (72) hour time period is extended, the inmate shall be provided the opportunity to shower and shave.
11. Access to barber and hair care services on the same basis as the general population shall be provided if consistent with the security of the institution. Due to the short period of time in a temporary holding cell, access to barber and hair care service may be denied.
12. A living area or cell shall be furnished with a small table or desk, shelf, and chair or stool if the existing physical plant permits. Denial of any item shall be justified in writing.
13. Recreation
  - a. An institution housing a special management or restrictive housing unit shall develop recreation programs for the unit to include both indoor and outdoor recreational opportunities.
  - b. It shall be the responsibility of the institutional recreation director to devise and provide recreational opportunities consistent with the housing and security requirements and operating procedures of the institution.
  - c. The institution shall use an individual yard module concept. In cases where cover is not provided to mitigate inclement weather, appropriate weather-related equipment and attire shall be available to the inmates who desire to take advantage of their authorized exercise time.
  - d. The restriction or denial of recreational opportunities shall not be used as punishment.
  - e. Recreational opportunities shall only be restricted or denied by the Warden or designee if the inmate's documented activities pose a threat to the safety of his self, other inmates, staff, or the security of the institution.

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#### 14. Programs and Services

- a. Specific privileges may be denied by the Warden or designee to anyone assigned to disciplinary segregation, restrictive housing that maintain the degree of security and control required.
- b. Special management housing programs and restrictive housing programs for administrative and protective custody and restrictive housing and extended restrictive housing status inmates shall provide living conditions similar to those offered to the general population as physical facilities and resources allow to access programs and services to include, but not limited to: educational services, commissary services, library services, social services, counseling services, behavioral health and treatment services, religious guidance, and recreational programs that maintain the degree of security and control the program and inmates concerned require as defined by section 15. Restriction or Denial of Privileges.

15. All special management and restrictive housing inmates shall be personally observed by a correctional officer at least every thirty (30) minutes on an irregular schedule. Any inmate who is violent or mentally disordered or who demonstrates unusual or bizarre behavior shall receive more frequent observation consistent with CPP 13.12.

#### 16. Scheduled Visits

The following staff shall visit special management or restrictive housing program areas at least as often as indicated:

	Staff	Frequency of Visits
a.	Warden and all Deputy Wardens	Weekly
b.	Major and Shift Captain or Shift Supervisor	Once each shift
c.	Unit Manager	Daily on normal work days
d.	Health Care Staff	Daily
e.	Physician or Nurse Practitioner	Weekly
f.	Classification and Treatment Officer	Daily on normal work days

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| g. | Qualified Mental Health Care Provider or Psychologist | Weekly                |
| h. | Chaplain  | Weekly                |
| i. | Academic Staff  | Weekly                |
| j. | Recreation Staff                                      | Weekly                |
| k. | Health Service Administrator                          | Weekly                |
| l. | Director of Nursing                                   | Weekly                |
| m. | Program Staff   | Schedule upon request |

The schedule shall not apply if the employee is on sick leave, vacation, training, or any other authorized leave, but the person acting on behalf of the staff member shall visit instead. The presence of health care and mental health staff shall be announced and recorded.

17. Restriction or Denial of Privileges

- a. If an inmate in special management or restrictive housing is not allowed to shave or shower, it shall be documented and reviewed by the Senior Correctional Supervisor in charge.
- b. If necessary to restrict or deny an inmate in a special management or restrictive housing unit any usual item or activity, a report shall be made to the appropriate Deputy Warden listing the item or activity denied and the reason and documented in the inmate's case record. All restrictions shall be reviewed by the Warden or his designee.
- c. In case of a unit emergency or serious disorder, the Warden shall immediately notify the Deputy Commissioner for Adult Institutions to inform him of the incident, any actions taken, and request for any assistance if needed.

18. Documentation Procedures

- a. Property

Upon assignment to a restrictive housing unit, an inventory of all personal property not authorized in the unit shall be made. The



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officer making this inventory and the individual inmate shall sign the inventory. Distribution of the signed inventory shall be as follows:

- (1) Copy to the property officer who shall maintain on file for twelve (12) months or for the period the personal property is withheld from the inmate, whichever is longer;
  - (2) Copy to the inmate; and
  - (3) Copy with the property of the inmate.
- b. All personal property not authorized on the unit shall be stored in a specific place designated for property storage.
- c. Administration
- (1) A separate log book shall be maintained for each unit, noting all staff visits to the unit and signed by the person making the visit, including the date, time, and general comments.
  - (2) Documentation shall be made by all units outlining any movement, recreation time, shower time, medication, food, and any other significant item reflecting the inmate adjustment.
  - (3) The admission of an inmate to the units shall be recorded with information on:
    - (a) name;
    - (b) number;
    - (c) housing;
    - (d) location;
    - (e) date admitted;
    - (f) reason for admission;
    - (g) tentative release date; and
    - (h) special medical or psychiatric problems, conflicts, or needs.

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## 19. Unit Staffing

- a. Each special management unit and restrictive housing unit shall have, at a minimum, a Unit Supervisor and an Assistant Unit Supervisor if population exceeds one hundred.
- b. If possible, staff assigned to the special management unit and restrictive housing unit shall have a minimum of twelve (12) months experience in a correctional institution.
- c. Each supervisor of a Special Management Unit and Restrictive Housing Unit shall periodically consider the need for rotation of employees under his supervision.

## B. Special Management Housing

These procedures shall be limited to temporary holding, disciplinary segregation, administrative segregation, administrative control status, protective custody, and death row.

1. Any inmate requiring special management for administrative, disciplinary, behavioral, or other reason shall be grouped within each institution for management and program purposes.
2. If an inmate is transferred to special management, the inmate, if possible, shall be reviewed by medical before being placed into RHU and health care staff shall be informed immediately. If the inmate was involved in a use of force or physical altercation, or has any suspected injury, a medical examination shall be conducted immediately. If there is no suspected injury, health care staff shall conduct an assessment and review as indicated by medical protocol within two (2) hours of admission into the Special Management Unit.
3. All inmates requiring special management for administrative, disciplinary, behavioral, or other reason shall have their mental health code(s) reviewed prior to placement.
  - a. An inmate found to have a current or past mental health coding of 3 or 4, shall be restricted from placement in SMU and RHU, unless the multidisciplinary service team for the institution determines there is an immediate and present danger to self, others or the safety and security of the institution.
  - b. If an inmate is found to have had a mental health code of 3 or 4, and is placed in SMU or RHU, mental health shall be notified immediately in order to conduct a mental health appraisal of the inmate within 24 hours of placement.

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- c. Within 72 hours of placement, an individualized treatment plan shall be implemented, that includes weekly monitoring by mental health staff, treatment as necessary (including psychiatric interventions) and steps to facilitate the transition of the inmate back into the general population or the least restrictive environment, whichever is felt appropriate by the multidisciplinary service team.
  - d. If placement continues beyond thirty (30) days, a psychiatric or psychological assessment, including personal interview, shall be conducted, and the treatment plan updated every thirty (30) days, until the inmate is released from RHU or SMU.
4. An inmate assigned to administrative control, administrative segregation, disciplinary segregation, or protective custody shall have a mental health assessment including a personal interview at the end of the first thirty (30) days. If an inmate is assigned to administrative control status, a review by the Classification Committee shall be made at the end of the first thirty (30) days. If confinement continues beyond thirty (30) days, a mental health assessment by a qualified mental health provider is made at least every thirty (30) days for inmates who have an identified mental health need and every ninety (90) days for all other inmates. An assessment shall be conducted more frequently if prescribed by the chief medical authority or if a referral is made to mental health.
5. In addition, an inmate assigned to administrative control, disciplinary segregation, or protective custody status shall be administratively reviewed every seven (7) days for the first sixty (60) days and at least once every thirty (30) days thereafter by members of the appropriate Classification Committee to determine the status of the inmate. The inmate shall be present at the review.
6. Criteria for Assignment
  - a. Criteria and Behavioral Issues for Assignment to Disciplinary Segregation
    - (1) Assignment to disciplinary segregation shall be made by the Adjustment Committee or Adjustment Officer in accordance with the provisions of CPP 15.2 and CPP 15.6.
    - (2) Any time served in pre-hearing detention shall be credited to the determinant Restrictive Housing sanction.
  - b. Criteria and Behavioral Issues for Assignment to Administrative Segregation

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An inmate may be placed in administrative segregation for one (1) or more of the following:

- (1) Pending investigation of any violation of:
  - (a) a policy or procedure or other regulation;
  - (b) state or federal statute; and
  - (c) a situation which poses a risk to the safety and security of another inmate, staff, or institutional operations;
- (2) Pending transfer to another institution;
- (3) Pending an evaluation of any inmate demonstrating an emotional disorder by a professional psychiatrist, psychologist, or person trained in recognition of behavioral disorders. This temporary assignment shall only occur if the assessment cannot be completed immediately. In these cases, the assessment shall be completed within twenty-four (24) hours. The Warden or designee and the Mental Health Authority or designee shall consult prior to making housing, program, transfer and disciplinary actions for diagnosed mentally ill or intellectually disabled inmates;
- (4) Assignment from another special management program if conditions warrant;
- (5) Pending orientation and classification for an inmate received on transfer, if necessary;
- (6) Pending orientation and classification of an inmate received under sentence of death, if necessary;
- (7) Pending investigation of an inmate's request for protective custody; or
- (8) Pending an alternative housing assessment for an inmate who is presently at high risk to be a sexual victim and may need separation from likely abusers. This temporary assignment shall only occur if the assessment cannot be immediately completed. In these cases, the assessment shall be completed within twenty-four (24) hours and in accordance with 28 CFR §115.43.

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c. Criteria and Behavioral Issues for Assignment to the Administrative Control Status

- (1) An inmate may be classified to administrative control status for one (1) of the following:
  - (a) A demonstrated inability or unwillingness to adjust to housing or work assignment;
  - (b) Demonstrated assaultive behavior towards staff, another inmate, or visitor;
  - (c) Possession of dangerous contraband;
  - (d) Demonstrated escape risk;
  - (e) Participation in an institutional disorder or disturbance;
  - (f) Posing a threat to himself or the safety or security of another or the institution, including extensive involvement in security threat group activities. (See CPP 9.3.);
  - (g) Repeated violations of institutional rules or policies and procedures; or
  - (h) Repeated substance abuse.
- (2) If an inmate with mental illness or intellectual disability presents as a danger to himself or others due to his mental illness, procedures outlined in CPP 13.13 shall be followed.

d. Criteria and Behavioral Issues for Assignment to Protective Custody

Assignment to protective custody shall be made in accordance with the provisions of CPP 18.15.

e. Criteria and Behavioral Issues for Assignment to Temporary Holding

An inmate may be assigned to temporary holding for one (1) of the following:

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- (1) Pending investigation of any violation of state or federal statute or any situation which poses a serious risk to the safety and security of another inmate, staff, or institution;
- (2) Pending transfer to another institution; or
- (3) Pending evaluation of an inmate demonstrating an emotional disorder by a professional psychiatrist, psychologist, or person trained in recognition of behavioral disorders. This temporary assignment shall only occur if the assessment cannot be completed immediately. In these cases, the assessment shall be completed within twenty-four (24) hours.
- (4) The Warden or designee and the Mental Health Authority or designee shall consult prior to making housing, program, transfer and disciplinary actions for diagnosed mentally ill or intellectually disabled inmates.

## 7. Procedural Requirements

### a. Disciplinary Segregation

An inmate shall be placed in disciplinary segregation in accordance with the requirements of CPP 15.6.

### b. Administrative Segregation

- (1) Placement of an inmate in administrative segregation shall be ordered in writing by the shift supervisor or other appropriate supervisor, by completion of a detention order.
- (2) After the detention order is written:
  - (a) the order, or copy, shall be presented to the inmate to provide notice of the reason for detention;
  - (b) Upon receiving notice, the inmate shall be given an opportunity to respond. The response shall be recorded by the appropriate staff on the detention order and signed by the inmate; and
  - (c) Upon completion of the above, a copy of the detention order shall be given to the inmate.
- (3) The detention order shall be approved or denied or modified by an appropriate and higher authority not

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involved in the initial placement within twenty-four (24) hours from the time detention is ordered.

- (4) The Warden or his designee, upon receipt of the completed detention form, shall consider both the detention order and the inmate response to determine whether:
  - (a) detention is warranted and approve it; or
  - (b) detention is not warranted and return the inmate to his previous status.
- (5) If detention is based upon confidential information, and if the disclosure may constitute a security risk to the inmate, another inmate, or staff, then:
  - (a) the information shall not be disclosed to the inmate on the detention form; and
  - (b) the confidential information shall be kept separately for the review of the detention order.

c. Administrative Control Status

- (1) The inmate shall be given forty-eight (48) hour notice of the initial hearing and the ninety (90) day review hearing.
- (2) The inmate shall be permitted to call witnesses.
  - (a) The inmate shall present a list of witnesses to the hearing committee or designated person at least twenty-four (24) hours in advance of the hearing. Failure to do so shall constitute a waiver of witnesses.
  - (b) If witnesses are denied, the reasons for denial shall be stated in writing.
- (3) The inmate may request an assigned inmate legal aide.
  - (a) The inmate shall notify the hearing committee or designated person at least twenty-four (24) hours in advance of the hearing which assigned legal aide he has requested. Failure to do so shall constitute a waiver of a legal aide.

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- (b) If a legal aide is denied, the reason for the denial shall be stated in writing.
  - (4) The inmate shall be given an opportunity to make a statement and present documentary evidence.
  - (5) At the conclusion of the hearing, the committee shall prepare a written record which shall include:
    - (a) the committee decision;
    - (b) a summary of the evidence upon which the decision is based;
    - (c) a list of all witnesses;
    - (d) the date and time of the hearing;
    - (e) the signatures of the committee members; and
    - (f) notification of the opportunity to appeal the decision.
  - (6) The classification decision shall be subject to review and final approval by the Warden.
- d. Temporary Holding
- (1) An inmate may be placed in temporary holding pending an investigation, orientation and classification if a transfer, or a hearing before the Classification Committee or Adjustment Committee or Hearing Officer if it has been determined that the inmate constitutes a threat to another inmate, any staff member, himself, or the security of the institution.
  - (2) In these cases, detentions shall be ordered in writing by the shift supervisor.
  - (3) After the detention order has been written:
    - (a) The order or copy shall be presented to the inmate to provide notice of the reason for detention;
    - (b) When the detention order is delivered to the inmate, he shall be given an opportunity to respond. The response shall be recorded by the appropriate staff



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on the detention order and signed by the inmate;  
and

(c) A copy shall be given to the inmate.

- (4) The detention order shall be reviewed for approval or disapproval by the Warden or his designee within twenty-four (24) hours from the time detention is ordered.
- (5) Placement in a temporary holding room shall not exceed seventy-two (72) hours unless an extension is verbally approved by the Central Office Classification Branch. One (1) extension may be granted by the Central Office Classification Branch for a period not to exceed twenty-four (24) hours.

## 8. General Living Conditions

An inmate assigned to any special management program shall be provided with the following:

### a. Items permitted for personal use and hygiene.

An inmate assigned to disciplinary segregation for thirty (30) days or less shall be permitted a maximum of twenty dollars (\$20) to purchase only those canteen items necessary for correspondence and personal hygiene, as set forth in CPP 14.2, Personal Hygiene Items.

### b. Telephone Privileges

A special management inmate shall have telephone privileges in accordance with security necessary for the unit.

- (1) An inmate may be permitted a minimum of one (1) telephone call per week or as authorized by the Warden or designee.
- (2) Telephone privileges shall be denied any inmate housed in disciplinary segregation for less than thirty (30) days. He shall be afforded an opportunity to use the telephone for calls relating specifically to access to the judicial process or as authorized by the Warden or his designee.
- (3) An inmate assigned to temporary holding may or administrative segregation be denied telephone privileges due to the short period of time held in that status. The

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Warden or his designee may authorize a telephone call for specific access to the inmate's attorney or for a legitimate family emergency.

9. Special Management Unit Recreation

A special management inmate shall have the opportunity to exercise outside the cell for a minimum of two (2) hours or more per day a minimum of five (5) days a week. At least one (1) of these hours of exercise shall be, weather permitting, outside in the open air unless documented security or safety considerations dictate otherwise.

10. Maximum Assaultive Status

a. Criteria for Assignment

- (1) An inmate assigned to any special management program who has assaulted an employee, inmate, or other person may be placed in a maximum assaultive status, to reduce the chance of injury to staff and other inmates.
- (2) If an immediate need exists, an inmate may be placed on maximum assaultive status by the Warden or his designee for a period up to ninety-six (96) hours. Placement in maximum assaultive status beyond ninety-six (96) hours shall require review and approval by the Classification or Adjustment Committee or adjustment officer.
- (3) An inmate placed in maximum assaultive status shall be reviewed on the same schedule as the special management assignment dictates.
- (4) Placement in maximum assaultive status and the justification for placement shall be included in the Committee report and in the inmate special management log or file.

b. Security Procedures for Movement of Inmates in Maximum Assaultive Status

- (1) A minimum of two (2) correctional officers shall be present outside the cell housing a maximum assaultive status inmate before the cell door is opened.
- (2) The inmate shall pass his clothing outside the cell to be searched.

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- (3) The inmate shall remain locked in the cell until a strip search is completed by the officers outside the cell.
- (4) The inmate, if he complies with the strip search, shall put his searched clothing back on without any other clothing replacement. He shall then:
  - (a) Be placed in necessary restraints while still in his cell; and
  - (b) Remain in necessary restraints until returned to his cell with the restraints being removed by the officer outside his cell after the cell has been locked.
- (5) If an inmate does not comply with a strip search, injures himself, or abnormal conditions arise and movement remains necessary:
  - (a) The shift supervisor shall be immediately notified of the situation; and
  - (b) The inmate shall be removed from the cell using the Use of Force Procedures outlined in CPP 9.1.

11. Length of Assignment, Inmate Assessment, and Criteria for Release from Special Management Units

a. Disciplinary Segregation

- (1) An inmate shall be subject to disciplinary segregation as provided for in CPP 15.2.
- (2) Criteria for Release from Disciplinary Segregation

An inmate shall be released from disciplinary segregation if:

- (a) His assigned length of stay has ended;
- (b) His behavior or conditions of the unit warrant a reduction in the assigned length of stay of no more than fifty (50) percent as recommended by the Classification Committee and as approved by the Warden or his designee; or
- (c) The mental health assessment by the appropriate mental health professional indicates that continued

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assignment to the unit may have a serious adverse psychological impact on the inmate and alternate treatment modalities are indicated and available as recommended to and approved by the Warden.

b. Administrative Segregation

- (1) An inmate may initially be assigned to administrative segregation for a maximum period of thirty (30) days.
- (2) An inmate assigned to administrative segregation shall wear a uniform designated by the Warden.
- (3) An inmate assigned to administrative segregation shall be administratively reviewed every seven (7) days by the appropriate Classification Committee. The inmate shall be present at the review.
- (4) At each review the committee may:
  - (a) Release the inmate to the general population;
  - (b) Assign the inmate to an appropriate special management unit; or
  - (c) Retain the inmate in administrative segregation.
- (5) An inmate may be released to the general population prior to the seven (7) day review if circumstances warrant.
- (6) At the end of a total of thirty (30) days in administrative segregation, the inmate may be:
  - (a) Released to the general population;
  - (b) Assigned to another special management unit; or
  - (c) Reassigned to administrative segregation by the appropriate classification committee if special circumstances are documented.

If an inmate is reassigned to administrative segregation, he shall receive a psychological assessment and continue the established seven (7) day review pattern.

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(7) Criteria for Release from Administrative Segregation

An inmate shall be released from administrative segregation if:

- (a) Circumstances requiring the assignment are no longer valid;
- (b) An investigation, which required the assignment, has been completed and indicates that continued assignment serves no valid purpose; or
- (c) The inmate is assigned to another special management unit.

c. Administrative Control Status

(1) Assignment to administrative control status shall initially be for a period not to exceed ninety (90) days.

- (a) Any additional assignment, not to exceed ninety (90) days each, may be made provided the inmate remains a threat to the safety or the security of the institution, staff, another inmate, or himself.
- (b) The inmate shall meet with the Classification Committee each time for assignment or release.
- (c) At the end of the ninety (90) day assignment, the inmate shall meet the appropriate Classification Committee to determine if continued assignment is warranted.

(2) The inmate shall not be entitled to the procedures set out in Section II.,B.,6.,c.,(1)-(6) if reassignment to administrative control status takes place.

- (a) If continued assignment occurs, the inmate shall be administratively reviewed every thirty (30) days.
- (b) The inmate shall be present for the administrative review.

(3) Criteria for Release from Administrative Control Status

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An inmate may be released from administrative control status if the circumstance requiring the assignment no longer exists.

d. Protective Custody

See the procedures set out in CPP 18.15, Protective Custody.

e. Temporary Holding

(1) Assignment to temporary holding shall not exceed seventy-two (72) hours unless an extension is verbally approved by the Central Office Classification Branch.

(2) At the end of the seventy-two (72) hours or approved extension, the inmate shall be released back into general population or transferred to another institution.

12. Release from Special Management Programs and Transfer Between Units

a. Except for any inmate assigned to disciplinary segregation and death row, an inmate shall be released from a special management program only by the Classification Committee or at the expiration of his term of assignment.

b. An inmate assigned to any special management program may be reassigned from that unit to disciplinary segregation for a rule violation in accordance with CPP 15.2 and CPP 15.6.

C. Restrictive Housing and Extended Restrictive Housing

These procedures shall be limited to inmates placed in Restrictive Housing.

1. Any inmate requiring restrictive housing shall be grouped within each institution for management and program purposes.

2. Female inmates determined to be pregnant shall not be housed in Extended Restrictive Housing.

3. An inmate shall not be placed in Restrictive Housing on the basis of Gender Identity alone.

4. An individual diagnosed with a serious mental illness shall not be placed in Extended Restrictive Housing, unless the multidisciplinary service team determines there is an immediate and present danger to others or the safety of the institution. There shall be an active individualized treatment plan

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that includes weekly monitoring by mental health staff, and steps to facilitate the transition of the offender back into general population.

5. If an inmate is transferred to restrictive housing, health care staff shall be informed immediately. If the inmate was involved in a use of force or physical altercation, or has any suspected injury, a medical examination shall be conducted immediately. If there is no suspected injury, health care staff shall conduct an assessment and review as indicated by medical protocol within two (2) hours of admission into the Restrictive Housing Unit.
6. Criteria and Behavioral Issues for Assignment
  - a. Assignment to restrictive housing shall be limited to inmates that pose a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility. The decision to place an inmate in restrictive housing may be immediate when it is necessary to protect the inmate or others.
  - b. Assignment from another special management program if conditions warrant.
  - c. The facility shall maintain alternatives that may be available to safely deal with the threat posed by the inmate other than restricted housing.
7. Any time served in pre-hearing detention shall be credited to the determinant Restrictive Housing sanction.
8. Procedural Requirements

Placement of an inmate in restrictive housing shall be ordered in writing by the shift supervisor or other appropriate supervisor, by completion of a detention order.

- a. After the detention order is written:
  - (1) the order, or copy, shall be presented to the inmate to provide notice of the reason for detention;
  - (2) Upon receiving notice, the inmate shall be given an opportunity to respond. The response shall be recorded by the appropriate staff on the detention order and signed by the inmate; and
  - (3) Upon completion of the above, a copy of the detention order shall be given to the inmate.

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- b. The detention order shall be approved, denied, or modified by an appropriate and higher authority not involved in the initial placement within twenty-four (24) hours from the time detention is ordered.
- c. The Warden or his designee, upon receipt of the completed detention form, shall consider both the detention order and the inmate response to determine whether:
  - (1) detention is warranted and approve it; or
  - (2) detention is not warranted and return the inmate to his previous status.
- d. If detention is based upon confidential information, and if the disclosure may constitute a security risk to the inmate, another inmate, or staff, then:
  - (1) the information shall not be disclosed to the inmate on the detention form; and
  - (2) the confidential information shall be kept separately for the review of the detention order.
- e. If an inmate is transferred from one Restrictive Housing Unit to another Restrictive Housing Unit, located at a different facility, a new detention order shall be completed by the receiving facility. After the detention order is written:
  - (1) The detention order, or copy, shall be presented to the inmate to provide notice of the reason for detention;
  - (2) Upon receiving notice the inmate shall be given an opportunity to respond. The response shall be recorded by the appropriate staff on the detention order and signed by the inmate; and
  - (3) Upon completion of the above, a copy of the detention order shall be given to the inmate.
  - (4) A transfer may be appealed per CPP 18.1.

9. Items permitted for personal use and hygiene

An inmate assigned to restrictive housing shall be permitted a maximum of twenty dollars (\$20) to purchase only those canteen items necessary for



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correspondence and personal hygiene, as set forth in CPP 14.2, Personal Hygiene Items.

#### 10. Telephone Privileges

A restrictive housing inmate shall have telephone privileges in accordance with security necessary for the unit. An inmate may be permitted a minimum of one (1) telephone call per week or as authorized by the Warden or designee. He shall be afforded an opportunity to use the telephone for calls relating specifically to access to the judicial process, family emergencies or as authorized by the Warden or his designee.

#### 11. Restrictive Housing Recreation

A restrictive housing inmate shall have the opportunity to exercise outside the cell for a minimum of one (1) hour per day five (5) days a week, unless security or safety consideration dictate otherwise.

#### 12. Length of Assignment, Inmate Assessment, and Criteria for Release from Restrictive Housing Units

- a. Health care staff shall be informed immediately and shall provide a screening and review as indicated by the protocols established by the health authority. Refer to CPP 13.12 concerning the mental health portion of the screening.
- b. An inmate assigned to the restrictive housing unit shall have a mental health assessment, including a personal interview, within seven (7) days of placement. This may include a mental health screening that has been completed by health care staff at the time the inmate is placed in RHU. If confinement continues beyond thirty (30) days, a mental health assessment by a qualified mental health professional is made at least every thirty (30) days for inmates who have an identified mental health need and every ninety (90) days for all other inmates. An assessment shall be conducted more frequently if prescribed by the chief medical authority or if a referral is made to mental health. The behavioral health assessment shall be conducted in a manner that ensures confidentiality.
- c. In addition, an inmate assigned to restrictive housing shall be administratively reviewed by the classification committee or other authorized staff every seven (7) days for the first sixty (60) days and at least once every thirty (30) days thereafter to determine the adjustment of the inmate. The inmate shall be present at the review.

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d. Criteria for Release from Restrictive Housing

An inmate shall be released from restrictive housing if:

- (1) Circumstances requiring the assignment are no longer valid;
- (2) His behavior or conditions of the unit warrant a release and as approved by the Warden or his designee;
- (3) Released to the general population;
- (4) Assigned to another special management unit; or
- (5) The mental health assessment by the appropriate mental health professional indicates that continued assignment to the unit may have a serious adverse psychological impact on the inmate and alternate treatment modalities are indicated and available as recommended to and approved by the Warden.

13. Release from Restrictive Housing Programs, Extended Restrictive Housing Programs and Transfer Between Units

- a. An inmate shall be recommended for release from a restrictive housing or extended restrictive housing program only by the Classification Committee and at the approval of the Warden or his designee.
- b. An inmate assigned to any restrictive housing program may be reassigned from that unit to disciplinary segregation for a rule violation in accordance with CPP 15.2 and CPP 15.6.
- c. All efforts shall be made to ensure that an inmate housed in the Extended Restrictive Housing unit not be released directly to the community.
  - (1) Justification and approval shall be received from the Commissioner and documented prior to release;
  - (2) If the release is imminent, a release plan shall be developed that is tailored to the specific needs of the inmate;
  - (3) Notification of the inmate's release submitted to state law enforcement;

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- (4) Notification of the inmate's release submitted to local law enforcement in the county the inmate is to be released;
- (5) Notification of the release to applicable community resources, and
- (6) Notification of Victim if applicable.

#### 14. Step Down Programs for Extended Restrictive Housing Programs

- a. Upon admission, a pre-screening evaluation shall be conducted to determine the program needs of the inmate and requirements.
- b. Monthly reviews and evaluations completed by a multidisciplinary service team to include but is not limited to: Program Administrator, Classification Treatment Officer, Security Supervisor, Security Officer, Medical and Mental Health Professionals. The inmate shall be present for the monthly reviews.
- c. Documentation of progress and step down transition compliance reviews to be entered into the inmate's case management record.
- d. Monthly evaluations; to gradually increasing out-of-cell time to gradually increasing group interaction to gradually increasing education and programming opportunities to gradually increasing privileges.
- e. Post screening evaluation completed prior to the inmate's release to the general population.

#### 15. Unit Staffing

Staff assigned to the restrictive housing unit shall have specialized training to include but not limited to the following: Crisis Intervention, Stress Management and Correctional Behavioral Health.

**DETENTION ORDER**

ALL INFORMATION CONTAINED ON THIS DOCUMENT SHALL BE PRINTED OR TYPED

INMATE NAME AND NUMBER: \_\_\_\_\_

DATE AND TIME OF DETENTION: \_\_\_\_\_

The above-named and numbered inmate is being detained for the following reasons: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
SHIFT SUPERVISOR

\_\_\_\_\_  
DATE AND TIME

**INMATE'S RESPONSE TO DETENTION ORDER**

The following is \_\_\_\_\_'s response to the Detention Order issued on  
\_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_, .m.:

\_\_\_\_\_

\_\_\_\_\_

I have received a copy of this Detention Order. The above accurately reflects my response to the Order.

\_\_\_\_\_  
WITNESS SIGNATURE

\_\_\_\_\_  
INMATE SIGNATURE

\_\_\_\_\_  
DATE AND TIME

\*\*\*\*\*

**WARDEN'S PROCEDURAL REVIEW**

Mark One:                      Approve \_\_\_\_\_                      Disapprove \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
WARDEN OR DESIGNEE

\_\_\_\_\_  
DATE AND TIME

White Copy to Institutional Central File  
Yellow Copy to Segregation Unit  
Pink Copy to Central Office Central File  
Gold Copy to Resident