



# Virginia Department of Corrections

## Offender Management and Programs

### Operating Procedure 841.4

#### *Restorative Housing Units*

**Authority:**

Directive 841, *Program Management*

**Effective Date:** July 1, 2023

**Amended:** 7/1/23, 2/1/24, 7/1/24

**Supersedes:**

Operating Procedure 425.4, August 1, 2021

**Access:**  Restricted  Public  Inmate

**ACA/PREA Standards:**

5-ACI-4A-01, 5-ACI-4A-02, 5-ACI-4A-04,  
5-ACI-4A-05, 5-ACI-4A-07, 5-ACI-4A-08,  
5-ACI-4A-10, 5-ACI-4A-11, 5-ACI-4A-12,  
5-ACI-4A-15, 5-ACI-4A-16, 5-ACI-4A-20,  
5-ACI-4A-21, 5-ACI-4A-22, 5-ACI-4A-23,  
5-ACI-4A-24, 5-ACI-4A-25, 5-ACI-4A-27,  
5-ACI-4B-02, 5-ACI-4B-03, 5-ACI-4B-04,  
5-ACI-4B-08, 5-ACI-4B-09, 5-ACI-4B-10,  
5-ACI-4B-12, 5-ACI-4B-14, 5-ACI-4B-15,  
5-ACI-4B-16, 5-ACI-4B-20, 5-ACI-4B-21,  
5-ACI-4B-22, 5-ACI-4B-23, 5-ACI-4B-24,  
5-ACI-4B-25, 5-ACI-4B-26, 5-ACI-4B-28,  
5-ACI-4B-29, 5-ACI-4B-30, 5-ACI-4B-31,  
5-ACI-4B-32, 5-ACI-4B-33, 5-ACI-5C-08

<b>Content Owner:</b>	Lois Fegan Chief of Restorative Housing	<i>Signature Copy on File</i>	5/27/23
		Signature	Date
<b>Reviewer:</b>	Randall C. Mathena Director of Security & Correctional Enforcement	<i>Signature Copy on File</i>	5/30/23
		Signature	Date
<b>Signatory:</b>	A. David Robinson Chief of Corrections Operations	<i>Signature Copy on File</i>	5/30/23
		Signature	Date

### REVIEW

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

*The content owner reviewed this operating procedure in June 2024 and determined that no changes are needed.*

### COMPLIANCE

This operating procedure applies to all units operated by the Virginia Department of Corrections. Practices and procedures must comply with applicable State and Federal laws and regulations, ACA standards, PREA standards, and DOC directives and operating procedures.

## Table of Contents

DEFINITIONS .....	3
PURPOSE .....	5
PROCEDURE .....	5
I. Restorative Housing Units .....	5
II. Restorative Housing Unit and Initial Inmate Placement .....	5
III. Restorative Housing Unit Assignment Mental Health and Medical Reviews .....	7
IV. Inmate Classification Reviews .....	7
V. Transitional Action Plan Development .....	8
VI. Mental Health and Health Care Reviews and Care .....	9
VII. Restorative Housing Unit - Status Reviews .....	10
VIII. Restorative Housing Unit Operational Management .....	11
IX. Restorative Housing Unit Orientation, Services, and General Living Conditions .....	12
REFERENCES .....	17
ATTACHMENTS .....	17
FORM CITATIONS .....	17



## DEFINITIONS

**Acute Care Unit** - A designated treatment unit licensed to provide inpatient mental health and wellness services for inmates whose functioning is so severely impaired by a mental disorder that they meet the criteria for involuntary admission.

**“At Risk” Inmate** - An inmate who meets criteria for being “at risk” for deterioration, self-harm, and/or being a danger to others in a Restorative Housing Unit as determined by a Mental Health Clinician; see *Mental Health and Wellness Services Screening 730\_F12*.

**Central Classification Services (CCS)** - Staff members from the Offender Management Services Unit who review certain recommendations made by the Institutional Classification Authority and Multi-Disciplinary Team to render a final decision regarding inmate statuses and assignments.

**Cool-down Space** - A safe and secure room in general population for inmates to reflect on their behavior choices, manage their emotions, reduce stress, and practice self-directed behavior.

**Discharge (Facility Release)** - The release of an inmate or probationer/parolee from a facility due to satisfying the requirements for release from that facility; discharge may be due to parole, good time release, pardon, court order, completion of Community Corrections Alternative Program or other reasons. Discharge may be to the community with or without probation/parole/post-release obligations or discharge may be to law enforcement authorities for other legal obligations or deportation.

**Health Trained Staff** – A DOC employee, generally a Corrections Officer, who has been trained to administer health screening questionnaires, including training as to when to refer to qualified health care personnel and with what level of urgency.

**High Risk Sexual Victim (HRSV)** - As identified by the Classification Assessment and Mental Health Clinician assessment, any inmate/probationer/parolee confirmed as a sexual victim or identified as being at high risk of being sexually victimized.

**Inmate** - A person who is incarcerated in a Virginia Department of Corrections facility or who is Virginia Department of Corrections responsible to serve a state sentence.

**Institution** - A prison facility operated by the Department of Corrections; includes major institutions, field units, and work centers.

**Institutional Classification Authority (ICA)** - The institutional employee designated to conduct inmate case review hearings.

**Keep Separate** - A classification action whereby an inmate is not to be housed at a specific location, or with access to specific staff or inmates; a “Keep Separate” determination is not required but may be based on:

- Two or more inmates who are a serious threat to one another as demonstrated by a verified, prior, aggravated assault (or contract for assault) where serious harm or death was clearly the intent of the aggressor.
- One inmate has testified against another inmate in Court and the inmate's conviction and/or length of sentence was likely influenced by the testimony.
- An inmate's felony was committed against staff, another inmate, or the immediate family of a staff member or inmate.
- The inmate is a family member, friend, and/or prior associate with a staff member.
- The inmate's crime was committed against a current or former institutional staff member or in the locality where the institution is located.
- The inmate is subject to a substantial risk of sexual abuse from a specific, identified inmate.

**Meaningful Out-Of-Cell Time** - Out-of-cell programmatic interventions or other congregate activities aimed at promoting personal development or addressing underlying causes of problematic behavior, which may include recreation in a congregate setting as defined in COV 53.1-39.2, *Restorative housing; restrictions on use*.

**Medical Practitioner** - A Physician, Nurse Practitioner, or Physician’s Assistant

**Mental Health Clinician** - An individual with at least a Master’s degree in psychology, social work, or relevant



human services field with knowledge, training, and skills in the diagnosis and treatment of mental disorders, which may include a Psychiatric Provider, Social Worker, or Registered Nurse.

**Mental Health Residential Treatment Unit** - A designated treatment unit where mental health and wellness services are provided to inmates who are unable to function in a general population setting due to a mental disorder but who typically do not meet the criteria for admission to an Acute Care Unit.

**Multi-Disciplinary Team (MDT)** - MDT members are responsible to review individual inmates related to restorative housing and step-down statuses and act as the Institutional Classification Authority to make recommendations for housing status, transfer, security level, good time class, etc.; decisions are the responsibilities of the Facility Unit Head and Regional Administrator.

**Protective Custody Unit** - A special purpose general population housing unit designated by the Director for inmates classified as requiring separation from other inmates as a result of their personal security needs; inmates requesting and requiring assignment to a Protective Custody Unit may be managed in the Restorative Housing Unit, pending assignment and transfer.

**Qualified Health Care Personnel** - A Licensed Practical Nurse, Registered Nurse, Physician Assistant, Nurse Practitioner, or Physician.

**Restorative Housing Unit** - A general term for special purpose bed assignments including restorative housing, and step-down statuses; usually a housing unit or area separated from full privilege general population.

- **Alt-GP Status** - General population bed assignments operated with increased privileges above RHU status but more control than full privilege general population for inmates making an informed voluntary request for placement and inmates assigned to the restorative housing unit for their own protection.
- **RHU-Restorative Housing (RHU) Status** - Special purpose bed assignments operated under maximum security regulations and procedures, and utilized under proper administrative process, for inmates requesting placement with informed voluntary consent, inmates needing confinement for their own protection, when there is a need to prevent imminent threat of physical harm to the inmate or another person, or the inmate's behavior threatens the orderly operation of the facility.
- **RH Step-Down 1 (SD-1), RH Step-Down 2 (SD-2) Status** - General population bed assignments operated with increased privileges above RHU status but more control than full privilege general population.

**Secure Diversionary Treatment Program (SDTP)** - A residential programming unit with bed assignments designated for eligible inmates who are classified as Seriously Mentally ill, and who meet the criteria for program admission. The SDTP is a formalized program that operates within structured security regulations and procedures and provides for programming and treatment services conducive with evidence based treatment protocols and individualized treatment plans.

**Serious Mental Illness (SMI)** - Psychotic Disorders, Bipolar Disorders, and Major Depressive Disorder; any diagnosed mental disorder (excluding substance use disorders) currently associated with serious impairment in psychological, cognitive, or behavioral functioning that substantially interferes with the person's ability to meet the ordinary demands of living and requires an individualized treatment plan by a qualified mental health clinician.

Psychological - *as relating to the mental and emotional state of an individual.*

Cognitive - *as relating to cognitive or intellectual abilities.*

Behavioral - *as relating to actions or reactions in response to external or internal stimuli that is observable and measurable.*

**Shared Allied Management (SAM) Unit** - A residential programming unit operated at designated institutions to deliver intensive services in a safe environment to specific inmate populations that typically require a high level of services from security, mental health and wellness services, and/or health services staff.

**Steps to Achieve Reintegration (STAR) Program** - A program operated at designated institutions for inmates, who motivated by unspecified fear, refuse to leave restorative housing, and enter general population.

**Transitional Action Plan** - The status in the Restorative Housing Unit to which the inmate is assigned and the transitional steps required for the inmate to enter full privilege general population as soon as safely possible.

**Working Day** - Weekdays, Monday through Friday, not counting official state holidays.



## PURPOSE

This operating procedure provides for the assignment of inmates housed in Department of Corrections (DOC) institutions to Restorative Housing Units, establishes the minimum standards for the operation of these units and for the care and custody of the inmates and will serve as the Facility Unit Head's procedure and process, approved by the Director, to transition an inmate placed in the Restorative Housing Unit out of the unit and back to full privilege general population.

## PROCEDURE

- I. Restorative Housing Units
  - A. This operating procedure provides inmates with information on the operation of Restorative Housing Units and for the supervision of inmates under Restorative Housing (RHU), and Step-down (SD-1 and SD-2) statuses; see Operating Procedure 425.4, *Management of Bed and Cell Assignments* (Restricted), for security considerations relating to Restorative Housing Units. (5-ACI-4A-04, 5-ACI-4B-03)
  - B. Security Level W institutions, Security Level 1 institutions, Baskerville Correctional Center, and Deerfield Correctional Center do not have a Restorative Housing Unit.
    1. When warranted, inmates will be expeditiously transferred to the designated parent/host institution for placement in the Restorative Housing Unit.
    2. The Shift Commander or a higher authority may authorize the use of restraints and/or placement of an inmate in a holding cell pending transfer to the designated parent/host institution.
  - C. The Red Onion State Prison/Wallens Ridge State Prison Local Operating Procedure for the *Restorative Housing Reduction Step Down Program*, governs Restorative Housing Units for Security Level 6 and S inmates.
  - D. Restorative Housing Units at institutions designated to house multiple security level inmates will operate in accordance with Attachment 1, *Restorative Housing Operating Level Designation*.
  - E. In the event of a widespread institutional disruption, natural disaster, or other unusual occurrence that requires emergency action, the Facility Unit Head may temporarily suspend any or all portions of this operating procedure.
    1. Inmates involved in the emergency may be detained without being served an *Institutional Classification Authority Hearing Notification* or conducting an ICA Hearing throughout the course of the emergency.
    2. Upon restoration of institutional order, all detained inmates will be subject to ICA and other reviews in accordance with this operating procedure.
- II. Restorative Housing Unit and Initial Inmate Placement
  - A. Cool-Down Spaces
    1. Cool-down spaces provide inmates with a safe and secure place in general population without the use of the additional resources required by placing the inmate in a Restorative Housing Unit.
    2. When appropriate, staff can utilize the institution's cool-down space to manage an inmate during a potentially disruptive situation as an alternative to placement in the Restorative Housing Unit.
  - B. Restorative Housing Units provide for personal protection and custodial management measures, exercised for the welfare of the inmate, the institution, or both and staff will not place an inmate in the Restorative Housing Unit as punishment. The goals of a Restorative Housing Unit are to: (5-ACI-4B-02)
    1. Manage inmates in a safe and secure manner.
    2. Provide a consistent, systems approach to the operation of Restorative Housing Units in all institutions to maximize positive outcomes in inmate adjustment.



3. Provide opportunities for inmates to increase their likelihood for success in a full privilege general population.
- C. Only the Shift Commander or above has the authority to authorize an inmate's placement in the Restorative Housing Unit.
1. Staff, such as but not limited to a Corrections Officer, Investigator, Mental Health Clinician, or Health Authority may, when warranted, refer an inmate to the Restorative Housing Unit.
  2. The Shift Commander will meet with the referring staff member and the inmate to decide whether to place the inmate in the Restorative Housing Unit or return the inmate to general population.
  3. The Shift Commander will only place inmates in a Restorative Housing Unit when:
    - a. An inmate voluntarily requests placement for their personal protection.
    - b. An inmate needs placement for their personal protection.
    - c. An inmate's placement is necessary to prevent imminent threat of physical harm to the inmate or others.
    - d. An inmate's behavior threatens the orderly operation of the institution.
  4. If the inmate is making an informed voluntary request for Restorative Housing Unit placement, the inmate must complete an *Informed Voluntary Request for Restorative Housing Unit* 841\_F28. (5-ACI-4A-05)
    - a. When an inmate requests placement in the Restorative Housing Unit for their personal protection the institution bears the burden of establishing a basis for refusing the inmate's request.
    - b. Inmates in the Restorative Housing Unit because they voluntarily requested placement for their personal protection may voluntarily refuse continued placement in the Restorative Housing Unit and will document their refusal on the *Informed Voluntary Request for Restorative Housing Unit* 841\_F28.
    - c. The MDT will review all inmates requesting placement in the Restorative Housing Unit for their own protection for assignment to Protective Custody.
  5. Staff must provide inmates in the Restorative Housing Unit for their own protection who are subject to removal from the Restorative Housing Unit, not by their own request, with a timely and meaningful opportunity to contest their removal.
    - a. Any inmate may contest their removal from the Restorative Housing Unit by submitting a *Written Complaint* 866\_F3 directly to the Facility Unit Head.
    - b. Once an inmate submits a *Written Complaint* 866\_F3, staff must not move the inmate from the Restorative Housing Unit until the Facility Unit Head responds to the inmate's *Written Complaint* 866\_F3.
    - c. Staff must contact the Institutional Ombudsman immediately prior to removing an inmate from the Restorative Housing Unit to determine if the inmate submitted a *Written Complaint* 866\_F3 and whether the Facility Unit Head responded to the inmate's complaint.
    - d. The Facility Unit Head's response will determine if the inmate is to be removed or if the inmate can remain in the Restorative Housing.
  6. The Shift Commander must not place an inmate identified as High Risk Sexual Victim (HRSV) or alleged to have suffered sexual abuse or sexual harassment in the Restorative Housing Unit without the inmate's consent unless an assessment of all available alternatives has been made, and the Mental Health Clinician in consultation with the Shift Commander and Regional PREA Analyst has determined that there are no available alternative means of separation from likely abusers.
- D. The Shift Commander will assign the inmate to an appropriate housing status as follows:
1. When an inmate is removed from general population and placed in the Restorative Housing Unit for exhibiting behavior that presents an imminent threat of physical harm to the themselves or another

person, or that threatens the orderly operation of the institution because there is no other alternative to ensure the safety and security of the inmate and the institution; the Shift Commander or above will initially assign the inmate to RHU status .

2. When an inmate is removed from general population and placed in the Restorative Housing Unit with the inmate's informed and voluntary request for personal protection or when the inmate needs such confinement for their protection, the Shift Commander or above will assign the inmate to Alt-GP status when there is no other alternative to ensure the safety and security of the inmate. (5-ACI-4A-05) (5-ACI-4B-02)

### III. Restorative Housing Unit Assignment Mental Health and Medical Reviews

- A. Qualified health care personnel will conduct an assessment per protocols established by the Health Authority. This assessment will determine the impact on any medical conditions exhibited by the inmate and the possible alternatives that may be available to compensate for such conditions. (5-ACI-4A-01, 5-ACI-4B-28)
- B. A Mental Health Clinician will screen the inmate before the inmate's placement or within one working day after placement in the Restorative Housing Unit to evaluate the impact an inmate's assignment to RHU status will have on the mental health conditions exhibited by the inmate. (5-ACI-4B-10)
- C. Health Care or health trained staff, at institutions without a Mental Health Clinician, should interview the inmate within one working day after placement in the Restorative Housing Unit.

### IV. Inmate Classification Reviews

- A. The Facility Unit Head or other Administrative Duty Officer, not involved in the initial placement, must review the inmate's assignment to RHU status within 24 hours of to determine if the placement is warranted. The Facility Unit Head or other Administrative Duty Officer can either approve the inmate's assignment to RHU status or return the inmate to their previous status. (5-ACI-4B-02)
- B. The MDT conducts all ICA hearings to review inmates assigned to the Restorative Housing Units and will make a recommendation concerning the inmate's transitional action plan as well as the inmate's security level, good time class level, transfer, etc. (5-ACI-4B-31)
- C. Within three working days of an inmate's initial assignment to RHU status, the MDT will review all available, relevant information and will conduct a formal ICA hearing to:
  1. Determine if the inmate can return to their previous status (general population or step-down), another appropriate internal status in the Restorative Housing Unit, or if the inmate will remain on RHU status.
  2. Develop an initial transitional action plan if the inmate will remain on RHU status to transition the inmate out of the Restorative Housing Unit as soon as safely possible.
  3. Review all SMI inmates and determine if each inmate can be released to full privilege general population or be assigned to SD-1 or SD-2 status at their current institution within 28 days of their initial assignment to RHU status. (5-ACI-4B-30)
    - a. If an SMI inmate will not release to full privilege general population or be assigned in SD-1 or SD-2 within 28 days, the MDT will refer the inmate to Marion Correctional Treatment Center's (MCTC) Acute Care Unit, a Mental Health Residential Treatment Unit or other Mental Health Unit, a Secure Diversionary Treatment Program (SDTP) or a Secured Allied Management Unit (SAM).
    - b. The Chief of Housing and Programs or the Unit Manager in their absence must notify the Special Program Manager for Diversionary Housing by email to the DOCSMI mailbox and will provide the inmate's name and number, date assigned to RHU status, proposed transitional action plan, and any supporting documentation on the same day that the MDT holds the formal ICA hearing.
- D. Within 10 working days of an inmate's initial assignment to RHU status, the MDT will conduct a formal ICA hearing to: (5-ACI-4B-31)



1. Evaluate the inmate and determine if the inmate will remain in the Restorative Housing Unit on RHU status or be released to general population at their current institutional assignment.
2. Review any inmate who will remain in the Restorative Housing Unit for placement in a step-down status and as soon the risk is reduced to an acceptable level return the inmate to general population.
3. Recommend a transfer for inmates who cannot return to the full privilege general population at the current institution but would be suitable for general population at another equal or higher-level institution.
4. Review all pregnant inmates and inmates under the age of 18 to evaluate the inmate and determine:  
(5-ACI-4B-32, 5-ACI-4B-33)
  - a. If the inmate can be released to full privilege general population or be assigned to SD-1 or SD-2 status at their current institution within 28 days of their initial assignment to RHU status.
  - b. If the inmate cannot release to full privilege general population or be assigned in SD-1 or SD-2 status within 28 days; the MDT will review the inmate to determine appropriate alternate housing.
  - c. If a pregnant inmate or inmate under the age of 18 is also SMI and cannot be released to full privileged general population or be assigned to SD-1 or SD-2 status within 28 days; the MDT will consult with the Mental Health Clinician Senior at CCS to determine appropriate alternate housing.  
(5-ACI-4B-30)

#### V. Transitional Action Plan Development

A. MDT members will evaluate each inmate assigned to RHU status and develop the inmate's initial transitional action plan at the first formal ICA hearing in accordance with this operating procedure.

1. Evaluation tools and program components include but are not limited to the following: (5-ACI-4B-31)
  - a. Review of COMPAS findings
  - b. Case Plan review and development
  - c. History of behavior
  - d. Risk/Needs assessment
  - e. An assessment of:
    - i. Disciplinary Violation Goals - Reduce or eliminate disciplinary violations.
    - ii. Mental Health Goals - Medication compliant, number of office visits per month, etc.
    - iii. Responsible Behavior Goals - Including personal hygiene, standing for count, cell compliance, deportment; satisfactory rapport with staff, inmates, and others as documented in VACORIS during MDT reviews.
    - iv. Journaling and/or program assignments relevant to inmate needs and goals.
2. The Transitional Action Plan is designed to address inmate behaviors and needs so the inmate can enter a full privilege general population as soon as safely possible. The inmate's Transitional Action Plan can include but are not limited to the following options:
  - a. RHU Status  
For inmates that must be managed under maximum security conditions.
  - b. Step-down 1 (SD-1) Status  
For inmates, whose behavior does not warrant assignment to RHU status or whose behavior has improved since assignment to RHU status to include completion of required programmatic goals.
  - c. Step-down 2 (SD-2) Status  
For inmates identified as needing a more structured living environment than in full privileged general population but do not need the level of control provided in RHU or SD-1 status and/or inmates whose behavior has improved since assignment to RHU or SD-1 status to include completion of required programmatic goals.



## d. Steps to Achieve Reintegration (STAR) Program

For inmates who refuse assignment to full a general population setting due to an unspecified fear and not for a specific fear or threat, violent or aggressive behavior, or legitimate protective custody; see Operating Procedure 830.5, *Transfers, Institution Reassignments*.

## e. Protective Custody

For inmates in need of personal protection and require separation from other inmates due to their personal security needs; inmates voluntarily requesting assignment to and requiring assignment to a Protective Custody Unit may be managed in restorative housing, as appropriate, pending assignment and transfer; see Operating Procedure 830.1, *Institution Classification Management*, and Operating Procedure 830.5, *Transfers, Institution Reassignments*.

## f. Marion Correctional Treatment Center's (MCTC) Acute Care Unit

For SMI inmates meeting the legal commitment criteria; see Operating Procedure 730.3, *Mental Health Services: Levels of Service*.

## g. Mental Health Residential Treatment Unit or Mental Health Unit

For SMI inmates who do not meet the criteria for commitment to an Acute Care Unit but is unable to function in a general population; see Operating Procedure 730.3, *Mental Health Services: Levels of Service*.

## h. SDTP

For inmates frequently engaging in assaultive, disruptive, and/or unmanageable behavior; see Operating Procedure 830.5, *Transfers, Institution Reassignments*.

## i. SAM Unit

For SMI inmates needing specialized placement, see Operating Procedure 830.5, *Transfers, Institution Reassignments*.

B. Inmates who refuse to participate in their transitional action plan are subject to disciplinary action; see Operating Procedure 861.1, *Offender Discipline, Institutions*.

1. Staff will give inmates at Security Level 2 and 3 institutions refusing to journal and/or participate in other program assignments a warning for their first refusal. Staff will charge the inmate with Offense Code 200a, *Refusing to work or refusing to attend school or other program assignments mandated by procedure or by law, or failure to perform work or program assignment as instructed* if the inmate again refuses to participate.
2. Staff will charge inmates at Security Level 4 and above institutions who refuse to participate with Offense Code 119f, *Refusal to participate in the Restorative Housing Unit assignment* and managed in the Restorative Housing Unit at their current location.
3. Staff can only charge the inmate once during a continued period of refusal.
  - a. After the first refusal and warning, staff must give the inmate the opportunity to comply.
  - b. Staff cannot charge the inmate until the next seven-day *Restorative Housing Status Review*.
4. Upon conviction for refusal to participate, staff should review the inmate for a reduction to Good Time Class IV; see Operating Procedure 830.3, *Good Time Awards*.

## VI. Mental Health and Health Care Reviews and Care

- A. No inmate will be denied necessary or proper health, dental, and or mental health care while assigned to the Restorative Housing Unit.
- B. A Mental Health Clinician, within three working days after the inmate's initial assignment to RHU status, must review each SMI inmate.
  1. Unless mental health attention is needed more frequently, a Mental Health Clinician will visit each inmate on RHU status weekly; see Operating Procedure 730.5, *Mental Health and Wellness Services*:



***Behavior Management. (5-ACI-4B-26, 5-ACI-4B-28, 5-ACI-4B-30)***

- a. Staff will announce and record the presence of a Mental Health Clinician in the Restorative Housing Unit.
  - b. A Mental Health Clinician will personally interview each inmate remaining on RHU status for more than seven days.
  - c. If the inmate's confinement on RHU status continues beyond seven days, a Mental Health Clinician will conduct a mental health screening every seven days thereafter or more frequently if clinically indicated. (5-ACI-4A-10, 5-ACI-4B-10)
2. Any inmate with identified mental health problems who is placed on RHU status will be monitored per Operating Procedure 730.5, *Mental Health and Wellness Services: Behavior Management*.
- C. Health Care Reviews and Care
1. Health Care services will be provided in accordance with Operating Procedure 720.1, *Access to Health Services*, and Operating Procedure 720.2, *Medical Screening, Classification, and Levels of Care*.
    - a. Inmates may request dental services, if needed; dental staff will determine the need to provide dental care while the inmate is in a Restorative Housing Unit.
    - b. Staff will provide the inmate with their prescribed medications in accordance with Operating Procedure 720.5, *Pharmacy Services*. (5-ACI-4A-15, 5-ACI-4B-14)
  2. Qualified health care personnel should conduct a physical screening i.e., weight and vital signs taken on each "at risk" inmate and should check each inmate for symptoms of possible side-effects to prescribed medication no less than once every 14 days.
  3. Unless medical attention is needed more frequently, each inmate in on RHU status will receive a daily visit from qualified health care personnel to ensure the inmate has access to the health care system; not required for institutions that do not have qualified health care personnel on duty on weekends. (5-ACI-4A-01, 5-ACI-4A-12, 5-ACI-4B-12, 5-ACI-4B-28)
    - a. Staff will announce and record the presence of qualified health care personnel.
    - b. Staff will record inmate health care requests, qualified health care personnel visits, and medications administered or refused.
    - c. Medical Practitioners are not required to visit the Restorative Housing Unit; inmates will submit a request to be seen by the Medical Practitioner through the established sick call process.
- D. When an in-person assessment or examination of an inmate in RHU status by a Mental Health Clinician or other qualified health care personnel is conducted in the cell, the inmate will be restrained and instructed to sit on their bunk.

**VII. Restorative Housing Unit - Status Reviews****A. Review by the Facility Unit Head and MDT**

1. The MDT will conduct a review of all inmates assigned to RHU, Alt-GP, SD-1, and SD-2 status, every seven days to monitor the appropriateness of the inmate's status. (5-ACI-4A-07, 5-ACI-4B-08)
  - a. The MDT will document their reviews on the *Multi-Disciplinary Team Hearing Docket*.
  - b. The Facility Unit Head will sign a printed copy of the *Multi-Disciplinary Team Hearing Docket* documenting their approval.
  - c. If a formal review of the inmate's status is warranted, the inmate will be served an *Institutional Classification Authority Hearing Notification*; see Operating Procedure 830.1, *Institution Classification Management*. (5-ACI-4A-07, 5-ACI-4B-08)
2. The Facility Unit Head will conduct a weekly review of all inmates assigned to RHU, Alt-GP, SD-1, and SD-2 status, to include inmates on Restorative Housing, SD-1, and SD-2 status. The Facility Unit Head will review:



- a. The reasons why a less restrictive setting could not be utilized.
  - b. An action plan for transitioning the inmate out of the Restorative Housing Unit as soon as safely as possible.
  - c. The date and duration of the inmate's placement in the Restorative Housing Unit.
  - d. The statutory basis for such placement; see COV §53.1-39.2, *Restorative housing; restrictions on use*.
3. The Facility Unit Head and MDT will review all inmates identified as HRSV or an alleged victim of sexual abuse to determine whether there is a continuing need for separation from full privileged general population.
- B. The MDT will formally review an inmate's status at least once every 30 days while the inmate is assigned to the Restorative Housing Unit. (5-ACI-4A-08, 5-ACI-4B-09, 5-ACI-4B-31)
1. Staff will notify the inmate of the formal hearing and their due process rights using the *Institutional Classification Authority Hearing Notification*.
  2. The MDT will conduct a formal due process hearing and review the inmate's adjustment and behavior; see Operating Procedure 830.1, *Institution Classification Management*.
    - a. The MDT will evaluate the inmate and determine whether to recommend the inmate continue in their current housing status in the Restorative Housing Unit or be assigned to another status.
    - b. The MDT should base its recommendation on the reason for the assignment, the inmate's behavior, and any progress made on the transitional action plan and their treatment objectives.
  3. The MDT should determine whether the inmate poses an unacceptable risk to them self to include personal protection and keep separates in the general population, or is a threat to other inmates, staff, or the safe, secure operation of the institution.
  4. The MDT may recommend a transfer to another institution when return to the full privilege general population at the institution is not appropriate.
  5. When the MDT determines that an inmate's behavior or circumstances no longer warrant their current housing status in the Restorative Housing Unit, the MDT should recommend assignment to a different housing status in the Restorative Housing Unit, transfer to a higher or equal security level institution, or release to full privilege general population.
- C. Inmates assigned to a Restorative Housing Unit in excess of 30 days should not be discharged directly to the community. (5-ACI-4B-29)
1. If the inmate will be discharged from the Restorative Housing Unit, a request for approval must be submitted via email to the Special Program Manager for Restorative Housing.
  2. In addition to the release requirements mandated for all inmate in Operating Procedure 050.3, *Facility Release of Offenders*, Operating Procedure 720.3, *Health Maintenance Program*, and Operating Procedure 820.2, *Inmate Re-Entry Planning*, staff at a minimum must:
    - a. Develop a release plan tailored to specific needs of the inmate.
    - b. Notify the inmate's supervising P&P Office who will contact state and local law enforcement.
    - c. Notify the releasing inmate of applicable community resources.
    - d. Notify the Victim through Victim Services, if applicable.
- D. The MDT may conduct a formal ICA hearing any time a significant change in circumstances or the inmate's behavior warrants a review; see Operating Procedure 830.1, *Institution Classification Management*.

## VIII. Restorative Housing Unit Operational Management

### A. Restorative Housing Unit Staff Duties and Responsibilities



1. A Corrections Officer must check each inmate assigned to RHU status twice per hour, no more than 40 minutes apart, on an irregular schedule. (5-ACI-4A-11)
  - a. Corrections Officers should check inmates assigned to SD-1 or SD-2 status on a similar schedule.
  - b. Corrections Officers will conduct more frequent checks or maintain continuous observation of inmates who are violent, mentally disordered, demonstrate unusual or bizarre behavior, or are suicidal; see Operating Procedure 730.5, *Mental Health and Wellness Services: Behavior Management*.
2. Corrections Officers must strip search each inmate before the inmate is removed or allowed to leave their cell.
3. A Corrections Officer must frisk the inmate, immediately after removal from their cell or other secure area and prior to return the inmate to their cell.
4. A Corrections Officer must search all items entering the Restorative Housing Unit to detect and eliminate contraband.
5. Corrections Officers will only remove one inmate out of a secure area at a time unless each inmate is restrained with separate security escorts.
  - a. With approval of the Facility Unit Head, an exception may be made for inmates participating in small group programs (SD-2 - maximum ten inmates) within the Restorative Housing Unit. (5-ACI-4B-31)
  - b. Corrections Officers must keep inmates apart from all known keep separates. Protective custody inmates and their keep separates must be housed in separate cells and have no direct contact unless both inmates are restrained with separate security escorts.
6. A Corrections Officer must inspect each Restorative Housing Unit cell prior to the inmate's initial placement in the cell and upon the inmate's removal from the cell and will document the results of the inspection.
  - a. This inspection is a general review of sanitation conditions and scan for contraband.
  - b. One Corrections Officer may conduct the cell inspection and the inmate need not be present.
  - c. The Corrections Officer must document they completed a thorough search and inspection of the cell before another inmate is moved into the cell.
7. Corrections Officer must search (strip search for Security Level 3 and higher) inmate workers upon entering and exiting the Restorative Housing Unit.
  - a. Inmates from other general population housing units may provide housekeeping and other services in the Restorative Housing Unit if specifically authorized by the Chief of Security.
  - b. A Corrections Officer must always maintain direct supervision of the inmate.
  - c. Inmate workers must not have physical contact with a Restorative Housing Unit inmate except as required for services rendered, i.e., barber.
8. On days that showers and/or outside recreation are scheduled at the institution, a Security Supervisor will blow their whistle and make an announcement, at the beginning of their round, to alert inmates to their presence and to determine which inmates want to participate in showers and/or outside recreation.
9. The Shift Commander or higher authority will visit the Restorative Housing Unit daily. (5-ACI-4A-12, 5-ACI-4B-12)

#### IX. Restorative Housing Unit Orientation, Services, and General Living Conditions

- A. Staff will provide all inmates upon their placement in the Restorative Housing Unit with written orientation materials, on the services available and how to access them.
  1. During orientation staff will provide, at a minimum, the following institution specific information:
    - a. How to access legal services.



- b. How to access telephone services including legal and emergency calls. (5-ACI-4A-25, 5-ACI-4B-25)
  - c. How to access counseling services and program staff upon request and for emergencies. (5-ACI-4A-12, 5-ACI-4B-12)
  - d. How to access the Chaplain or other available religious services.
2. Each inmate must sign an institution specific document confirming their receipt of the written orientation materials.
- B. In general, the living conditions for inmates placed in the Restorative Housing Unit approximate the living conditions provided to inmates in full privilege general population, but there are certain exceptions. All exceptions are clearly documented in this operating procedure. (5-ACI-4A-02, 5-ACI-4B-04)
1. Housing Conditions
    - a. Restorative Housing Unit cells/rooms should be well ventilated, adequately lighted, appropriately heated and should always be maintained in a sanitary condition.
    - b. Inmates can converse with and be observed by staff while in their cell/room. (5-ACI-4A-02, 5-ACI-4B-04)
    - c. Except in an emergency, the number of inmates confined to each cell/room should not exceed the number for which it is designed, usually one inmate per cell/room.
      - i. With the approval of the Facility Unit Head, in cells with proper equipment, suitable inmates in SD-2 status may be double bunked if the inmates are screened in accordance with Operating Procedure 425.4, *Management of Bed and Cell Assignments* (Restricted).
      - ii. If in an emergency the number of inmates exceeds the design capacity, the Facility Unit Head, or designee, should provide temporary written approval for staff to exceed the design capacity, and alleviate the situation as promptly as possible by providing other housing for the inmates so confined.
    - d. Treatment staff have space available to them inside the Restorative Housing Unit or external to the unit for consultation with inmates. (5-ACI-4B-04)
    - e. All housing areas in the Restorative Housing Unit, to include cells housing inmates identified as potentially suicidal, have readily accessible equipment, and supplies necessary in an emergency.
  2. Inmate Correspondence
    - a. Inmates are generally subject to the same correspondence regulations and privileges as inmates assigned to full privilege general population; see Operating Procedure 803.1, *Inmate and Probationer/Parolee Correspondence*. (5-ACI-4A-20, 5-ACI-4B-20)
    - b. Secure messaging is a privilege, staff will not provide inmates on RHU status access to a kiosk to retrieve or send their secure messages; when feasible, inmates assigned to SD-1 and SD-2 status will be provided access the kiosk. (5-ACI-4B-31)
  3. Inmate Packages
    - a. Inmates will not receive the contents of packages unless approved by the Facility Unit Head.
    - b. Staff may store disapproved items if the items are approved for full privilege general population; disapproved items will be returned to the sender at the expense of the inmate or the sender, or disposed of in accordance with Operating Procedure 802.1, *Inmate and CCAP Probationer/Parolee Property*.
  4. Inmate Meals
    - a. Staff must not use food as a disciplinary measure; punitive diets i.e., bread and water are prohibited. (5-ACI-5C-08)
    - b. Staff will provide inmates with the same number and type of meals served to full privilege general population.
      - i. Inmates on a religious will be provided their religious diets meal trays if the meals are available

- at that institution.
- ii. Inmates not on a religious diet will designate whether they want to receive regular or alternate entrée meal trays.
  - c. The Restorative Housing Unit Supervisor must allow inmates the opportunity to change their chosen meal tray every 90 days that they remain in a Restorative Housing Unit.
  - d. Staff will document and manage inmates who refuse to eat and abuse tray or food products served to them in accordance with Operating Procedure 420.2, *Use of Restraints and Management of Inmate Behavior*.
5. Legal Access
- a. Inmates are not prohibited from conducting litigation on their own behalf; staff will afford inmates with access to the Facility Court Appointed Attorney and to law library materials; see Operating Procedure 866.3, *Inmate and CCAP Probationer/Parolee Legal Access*. (5-ACI-4A-22, 5-ACI-4B-22)
  - b. Attorney visits will occur during normal working hours of the institution unless otherwise approved by the Facility Unit Head or designee; see Operating Procedure 851.1, *Visiting Privileges*.
  - c. Inmates will conduct legal calls through the telephone system; see Operating Procedure 866.3, *Inmate and CCAP Probationer/Parolee Legal Access*.
6. Telephone Services (5-ACI-4A-25, 5-ACI-4B-25)
- a. Staff will allow inmates to place telephone calls in accordance with Operating Procedure 803.3, *Inmate and CCAP Probationer/Parolee Telephone Service*. (5-ACI-4B-31)
  - b. Inmates are allowed access to the telephone system based on their housing status:
    - i. RHU status inmates are allowed two calls per month.
    - ii. SD-1 status inmates are allowed four calls per month.
    - iii. SD-2 status inmates are allowed six calls per month.
- C. Staff will provide inmates with laundry, clothing, bedding, and linen exchange, barbering, and hair care services and access to privileges, and work opportunities to the extent possible while ensuring the inmate's safety.
1. Staff must provide all inmates clothing that is not degrading, linen, and bedding upon the inmate's placement in the Restorative Housing Unit. (5-ACI-4A-15, 5-ACI-4B-15)
    - a. Staff will strip search the inmate, remove any inmate personal clothing, and issue the required state clothing, linen, and bedding; see Operating Procedure 802.1, *Inmate and CCAP Probationer/Parolee Property*.
    - b. At least three times per week, staff must issue clean state clothing so that such clothing is immediately available when an inmate removes their dirty clothes to be laundered.
    - c. Staff will issue a clean washcloth and towel on a one-for-one exchange basis when the inmate takes a shower or during a weekly linen exchange.
      - i. Linens must be exchanged weekly.
      - ii. Blankets will be exchanged as needed per the institution's schedule.
    - d. At the discretion of the Facility Unit Head, inmates may be issued the required amount of state clothing, wash clothes, towels, and linens on a weekly basis.
  2. Staff will provide inmates with the opportunity to shower and shave not less than three times each week and to sponge bathe whenever they choose. (5-ACI-4A-16, 5-ACI-4B-16)
    - a. Staff will allow inmates to possess a reasonable quantity of personal hygiene items consistent with the security needs of the institution and as determined by the Facility Unit Head. The following personal hygiene items are not permitted: (5-ACI-4A-15, 5-ACI-4B-15)
      - i. Personal toothbrushes.
      - ii. Oils and lotions, except prayer oil.

- iii. Razors.
  - b. Because inmates can easily use toothbrushes and razors as a weapon, staff will provide inmates with these items.
  - c. If the institution provides inmate's access to an electric razor, the razor should be cordless with removable cutting heads. Cutting heads and screen covers should be sanitized after each use by soaking in a solution of suitable disinfectant in accordance with manufacturer's instructions.
  - d. Inmates will be allowed to take only the minimum hygiene items needed with them to shower. If the inmate does not have basic personal hygiene items and is indigent, staff should furnish them.
  - e. Inmates will move directly to and from the showers.
- 3. Staff must ensure barbering and hair care services are available on a regular basis; see Operating Procedure 801.6, *Inmate and CCAP Probationer/Parolee Services*.
- 4. Personal Property
  - a. Inmates will have access to basic personal items for use in their cells unless there is imminent danger that the inmate or any other inmate(s) will destroy an item, use it as a weapon or instrument of escape, or induce self-injury. (5-ACI-4A-15, 5-ACI-4B-15)
  - b. A Corrections Officer and the inmate, or two Corrections Officers in the inmate's absence, will inventory all personal property items when an inmate is placed in the Restorative Housing Unit; see Operating Procedure 802.1, *Inmate and CCAP Probationer/Parolee Property*.
    - i. Staff will issue only those items authorized on the appropriate *Authorized Personal Property Matrix*.
    - ii. In addition to property items allowed on the *Authorized Personal Property Matrix*, inmates assigned to SD-2 status, will be permitted to purchase consumable food items sold through the institution's commissary. (5-ACI-4B-31)
  - c. Other personal property items that are not issued to the inmate but are allowed at the inmate's security level and current institution will be placed in storage.
    - i. The inmate may submit a written request to receive their authorized personal property in storage i.e., hygiene items to replace items that have been consumed.
    - ii. Staff must document all property items removed from the inmate's property storage and issued to the inmate on the initial inventory completed when the inmate was placed in the Restorative Housing Unit.
  - d. Staff will give the inmate a copy of the property inventory and the inmate must sign for all property issued to them while assigned to the Restorative Housing Unit.
  - e. Inmates will only be allowed to purchase personal property items listed on the appropriate *Authorized Personal Property Matrix* while in the Restorative Housing Unit.
    - i. Staff will hold pre-approved personal property items received but not authorized in Personal Property and will issue these items to the inmate upon their return to full privilege general population.
      - (a) The Personal Property Officer will notify the inmate using the *Personal Property Request - Add/Drop 802\_F1*.
      - (b) The inmate will not be allowed to view, try-on, or examine this property.
    - ii. The Restorative Housing Unit Supervisor will be notified when an inmate will be returned to full privilege general population and will have the inmate's property ready for issuance to the inmate. The inmate must sign for the property.
- 5. Visiting Privileges
  - a. Inmates will have opportunities for visitation unless there are substantial reasons for withholding such privileges. (5-ACI-4A-21, 5-ACI-4B-21)
  - b. The Facility Unit Head determines the visitation schedule based on available staff and resources.
    - i. Staff should provide inmates a maximum of one visit per week for one hour with no more than

- five visitors.
- ii. The Facility Unit Head may set a lower limit on the number of visitors due to space limitations.
  - iii. Unless the Facility Unit Head approves otherwise, visitation will be non-contact.
- D. Within the resources available, unless security or safety considerations dictate otherwise, staff will provide inmates with meaningful access to programs such as Interactive Journals and group elective options, educational services, commissary services, library services, social services, treatment services, religious guidance, and recreation programs. (5-ACI-4A-27, 5-ACI-4B-26)
1. Interactive Journals and Group Electives
    - a. Inmates will complete one hour of Interactive Journaling with group facilitation twice per week.
    - b. Daily group elective options will be provided during non-programming days.
  2. Commissary
    - a. Commissary orders will be taken at least three times per month on scheduled days.
    - b. Inmates are allowed a \$45.00 spend limit per month. Inmates on SD-2 status will be allowed an additional \$15.00 per month of consumable items. (5-ACI-4B-31)
    - c. Glass, metal, and other hazardous containers or products may be restricted if determined by the institution to pose a risk to security.
    - d. Security writing instruments should be provided by the institution. Inmates assigned to a Restorative Housing Unit more than 30 days may be required to purchase personal security writing instruments after the initial issue.
    - e. A list of approved commissary items should be available in the Restorative Housing Unit.
  3. Educational and Library Book Services (5-ACI-4A-23, 5-ACI-4B-23)
    - a. Inmates will have access to library books for personal use see Operating Procedure 801.6, *Inmate and CCAP Probationer/Parolee Services*.
    - b. Inmates will have access to educational services as determined by the institution Principal.
  4. Counseling Services (5-ACI-4A-12, 5-ACI-4B-12)

At a minimum, each inmate on RHU status will receive a weekly visit from treatment staff.
  5. Religious Guidance
    - a. Inmates are afforded access to religious guidance.
    - b. Inmates may request visits from spiritual leaders in accordance with Operating Procedure 851.1, *Visiting Privileges*.
  6. Meaningful Out of Cell Activity (5-ACI-4A-24, 5-ACI-4B-24, 5-ACI-4B-31)
    - a. All inmates in the Restorative Housing Unit will be offered a minimum of four hours of meaningful out of cell activity, programmatic interventions, or other congregate activities per day aimed at promoting personal development or addressing underlying causes of problematic behavior.
    - b. Out of cell time may include recreation in a congregate setting unless exceptional circumstances mean that doing so would create significant and unreasonable risk to the safety and security of other incarcerated persons, the staff, or the institution.
    - c. Staff may offer an inmate less than four hours of out-of-cell programmatic interventions or other congregate activities per day only when the Facility Unit Head determines a lockdown is required to ensure the safety of the institution.
    - d. Staff are encouraged to utilize trained and carefully selected peer mentors to assist with facilitating out-of-cell programs and activities in RHU settings.
- E. Staff will provide inmates on Alt-GP status with similar opportunities for activities, movement, and social interactions as provided to inmates in general population, taking into consideration the inmate's safety and the safety of others. Staff will manage inmates on Alt-GP status with the same movement and

privileges afforded to inmates in SD-2 status.

- F. Staff must provide security Level S inmates housed in the Restorative Housing Unit more than 90 consecutive days (SM-Special Management) or 180 consecutive days (IM-Intensive Management) with adequate recreation, program services, and privileges consistent with the requirements of the Red Onion State Prison/Wallens Ridge State Prison local operating procedure addressing the *Restorative Housing Reduction Step-Down Plan*.
- G. The Shift Commander must approve any exception to the normally provided living conditions, activities, and services; exceptions must be documented in accordance with Operating Procedure 425.4, *Management of Bed and Cell Assignments (Restricted)*. (5-ACI-4A-24, 5-ACI-4B-16, 5-ACI-4B-24)
- H. If access to activities and services is more restrictive for inmates identified as HRSV or who have alleged to have suffered sexual abuse or sexual harassment than for others in their housing status, staff must document the opportunities that have been limited, the duration of the limitation and the reasons for such limitations.

## REFERENCES

COV §53.1-39.2, *Restorative housing; restrictions on use*

Operating Procedure 050.3, *Facility Release of Offenders*

Operating Procedure 420.2, *Use of Restraints and Management of Inmate Behavior (Restricted)*

Operating Procedure 720.1, *Access to Health Services*

Operating Procedure 720.2, *Medical Screening, Classification, and Levels of Care*

Operating Procedure 720.3, *Health Maintenance Program*

Operating Procedure 720.5, *Pharmacy Services*

Operating Procedure 730.3, *Mental Health Services: Levels of Service*

Operating Procedure 730.5, *Mental Health and Wellness Services: Behavior Management*

Operating Procedure 801.6, *Inmate and CCAP Probationer/Parolee Services*

Operating Procedure 802.1, *Inmate and CCAP Probationer/Parolee Property*

Operating Procedure 803.1, *Inmate and Probationer/Parolee Correspondence*

Operating Procedure 803.3, *Inmate and CCAP Probationer/Parolee Telephone Services*

Operating Procedure 820.2, *Inmate Re-Entry Planning*

Operating Procedure 830.1, *Institution Classification Management*

Operating Procedure 830.3, *Good Time Awards*

Operating Procedure 830.5, *Transfers, Institution Reassignments*

Operating Procedure 851.1, *Visiting Privileges*

Operating Procedure 861.1, *Offender Discipline, Institutions*

Operating Procedure 866.3, *Inmate and CCAP Probationer/Parolee Legal Access*

## ATTACHMENTS

Attachment 1, *Restorative Housing Operating Level Designation*

## FORM CITATIONS

*Mental Health and Wellness Services Screening* 730\_F12

*Personal Property Request Add/Drop* 802\_F1

*Informed Voluntary Request for Restorative Housing Unit* 841\_F28

*Written Complaint* 866\_F3

