



# Operating Procedure

<b>Effective Date</b>	April 1, 2019	<b>Number</b>	841.4
<b>Amended</b>	7/1/19, 9/1/19	<b>Operating Level</b>	Department
<b>Supersedes</b>			
Operating Procedure 841.4 (4/1/16) Operating Procedure 861.3 (4/1/15)			
<b>Authority</b>			
COV §53.1-10, §53.1-25			

**Subject**

## RESTRICTIVE HOUSING UNITS

<b>ACA/PREA Standards</b>
5-4A-4400, 5-4A-4140, 5-4A-4249, 5-4A-4251, 5-4A-4253, 5-4A-4254, 5-4A-4256, 5-4A-4257, 5-4A-4258, 5-4A-4261, 5-4A-4262, 5-4A-4263, 5-4A-4266, 5-4A-4267, 5-4A-4268, 5-4A-4269, 5-4A-4270, 5-4A-4271, 5-4A-4273, 5-4B-0002, 5-4B-0003, 5-4B-0004, 5-4B-0008, 5-4B-0009, 5-4B-0010, 5-4B-0011, 5-4B-0012, 5-4B-0015, 5-4B-0016, 5-4B-0017, 5-4B-0018, 5-4B-0021, 5-4B-0022, 5-4B-0023, 5-4B-0024, 5-4B-0025, 5-4B-0026, 5-4B-0027, 5-4B-0029, 5-4B-0030, 5-4B-0031, 5-4B-0032, 5-4B-0033, 5-4B-0034, 5-5C-4320; 4-4140, 4-4249, 4-4250, 4-4251, 4-4253, 4-4254, 4-4256, 4-4257, 4-4258, 4-4261, 4-4262, 4-4263, 4-4266, 4-4267, 4-4268, 4-4269, 4-4270, 4-4271, 4-4273, 4-4320, 4-4400

<b>Incarcerated Offender Access</b>	<b>Public Access</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<b>Office of Primary Responsibility</b>
Yes <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/> #1	No <input type="checkbox"/>	Chief of Restrictive Housing and Serious Mental Illness

### I. PURPOSE

This operating procedure provides for the classification of offenders incarcerated in Department of Corrections institutions to General Detention, and Restrictive Housing statuses, minimum standards for the operation of restrictive housing units, and minimum standards for the care and custody of offenders assigned to each of these statuses.

### II. COMPLIANCE

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

### III. DEFINITIONS

**“At Risk” Offender** - An offender identified by a Qualified Mental Health Professional as meeting the criteria in Operating Procedure 730.5, *Mental Health Services: Behavior Management*, based on evaluation of the impact that restrictive housing may have on mental health conditions exhibited by the offender

**Discharge** - The release of an offender from a facility due to satisfying the requirements for incarceration at that facility; discharge may be due to parole, good time release, pardon, court order, completion of Community Corrections program or other reasons. Discharge may be to society with or without probation/parole/ post-release obligations or discharge may be to law enforcement authorities for other legal obligations or deportation.

**General Detention** - Special purpose bed assignments, utilized under proper administrative process, for the immediate secure confinement of offenders pending review for an appropriate assignment

**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 health care staff and with what level of urgency

**High Risk Sexual Victim (HRSV)** - As identified by the *Classification Assessment* and QMHP assessment, any incarcerated offender confirmed as a sexual victim or identified as being at high risk of being sexually victimized

**Institution** - A prison facility operated by the Department of Corrections - includes major institutions, field

units, and work centers.

**Institutional Classification Authority (ICA)** - The facility staff person designated to conduct offender case review hearings; hearings related to restrictive housing status review are formal due process hearings and are generally conducted by a Multi-Disciplinary Team.

**Management Path** - The restrictive housing unit level to which the offender is assigned and the remaining steps for the offender to enter full privilege general population

**Medical Practitioner** - A physician, physician's assistant, or nurse practitioner licensed to practice medicine in the Commonwealth of Virginia or in the jurisdiction where the treatment is to be rendered or withheld

**Mental Health Residential Treatment Unit** - A designated treatment unit where mental health services are provided to offenders who are unable to function in a general population setting due to 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 offenders related to restrictive 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.

**Offender with Serious Mental Illness (SMI)** - An offender diagnosed with a Psychotic Disorder, Bipolar Disorder, Major Depressive Disorder, Posttraumatic Stress Disorder (PTSD) or Anxiety Disorder, or any diagnosed mental disorder (excluding substance abuse 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.

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

**Qualified Mental Health Professional (QMHP)** - An individual employed in a designated mental health services position as a Psychologist or Psychology Associate, Psychiatric Provider, Social Worker (Masters level) or Registered Nurse or 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

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

- **Restrictive Housing (RHU)** - Special purpose bed assignments operated under maximum security regulations and procedures, and utilized under proper administrative process, for the personal protection or custodial management of offenders
- **RH Step-down 1 (SD-1), RH Step-down 2 (SD-2)** - General population bed assignments operated with increased privileges above Restrictive Housing but more control than full privilege general population

**Secure Diversionary Treatment Program (SDTP)** - Bed assignments designated for offenders who have been classified as SMI; operates with structured security regulations and procedures, and provides programming and treatment services conducive with evidence based treatment protocols and individualized treatment plans

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

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

**Working Day** - Weekdays, Monday through Friday, except official state holidays

## IV. PROCEDURES

### A. Restrictive Housing Units

1. This operating procedure provides offenders incarcerated in Department of Corrections institutions with information on the operation of restrictive housing units at Security Level 1 through Security Level 5 institutions and for the supervision of offenders under General Detention, Restrictive Housing (RHU), and Step-down statuses (SD-1 and SD-2). (See Operating Procedure 425.4, *Management of Bed and Cell Assignments* (Restricted), for security considerations relating to restrictive housing units.) (5-4A-4249, 5-4B-0003; 4-4249)
2. Security Level W institutions and Deerfield Correctional Center do not operate restrictive housing units; when warranted, offenders will be immediately transferred to the designated parent/host institution for placement on General Detention in the restrictive housing unit.
3. Restrictive housing units at institutions that house Security Levels 5, 6 and S offenders will operate in accordance with this operating procedure for Security Level 5 offenders and the Red Onion State Prison/Wallens Ridge State Prison local operating procedure addressing the *Restrictive Housing Reduction Step Down Program*, for Security Level 6 and S offenders.
4. For institutions designated for multiple security level offenders, the restrictive housing unit will operate in accordance with Attachment 1, *Restrictive Housing Operating Level Designation*.

### B. Restrictive Housing Mission

1. Restrictive housing units provide for personal protection and custodial management measures, exercised by the institution for the welfare of the offender, the institution, or both and will not be used as punishment.
2. General Detention will be utilized for the immediate secure confinement of an offender only when their presence in the general population or a step-down status poses a direct threat to the offender (to include when an offender requires personal protection and no reasonable alternative is available), other offenders, institutional staff, or a clear threat to the safe, secure operation of the institution. The goals of a restrictive housing unit are to: (5-4B-0002; 4-4250)
  - a. Manage offenders in a safe and secure manner
  - b. Provide a consistent, systems approach to the operation of restrictive housing units in all institutions to maximize positive outcomes in offender adjustment
  - c. Provide opportunities for offenders to increase their likelihood for success in a full privilege general population
3. An offender moved from general population into a restrictive housing unit must be initially assigned to General Detention, which is authorized by the Shift Commander or above for the immediate secure confinement of an offender pending review for an appropriate assignment. (5-4B-0002; 4-4250)
4. Assignment to any other restrictive housing status requires a formal due process hearing held by the Multi-Disciplinary Team (MDT), and must be approved by the Facility Unit Head or designee in accordance with Operating Procedure 830.1, *Institution Classification Management*.
5. The MDT has the authority to conduct Institutional Classification Authority hearings related to restrictive housing units and is responsible to review individual offenders and make recommendations concerning the management paths as well as security level, good time class, transfer, etc.

### C. Restrictive Housing Assignment Process

1. Only the Shift Commander or a higher authority may authorize an offender's placement in a restrictive housing unit on General Detention.
  - a. Institutional staff, such as but not limited to Corrections Officer, Investigator, QMHP, or Health Authority may refer an offender for General Detention.
  - b. The Shift Commander will meet with the referring staff member and the offender, and will either

place the offender on General Detention in the restrictive housing unit or return the offender to general population.

2. When an offender requests protective custody and the need for protective custody is documented and no alternative exists, the Shift Commander will authorize the offender's assignment to General Detention in accordance with Operating Procedure 830.5, *Transfers, Institution Reassignments*, and Operating Procedure 830.6, *Offender Keep Separate Management*. (5-4A-4251; 4-4251)
3. When Mental Health or Medical staff determine that an offender should be placed in a restrictive housing unit to protect the offender, other offenders, institutional staff, or the safe, secure operation of the institution, they may request to the Shift Commander that the offender be placed on General Detention.
4. Offenders identified as HRSV or offenders alleged to have suffered sexual abuse or sexual harassment will not be placed in the restrictive housing unit without their consent unless an assessment of all available alternatives has been made, and it has been determined by the QMHP in consultation with the Shift Commander and Regional PREA Analyst that there are no available alternative means of separation from likely abusers.

#### D. Restrictive Housing Assignment Mental Health and Medical Reviews

1. Offenders will be screened by a Qualified Mental Health Professional (QMHP) before their placement or within one working day after placement in General Detention so that any "at risk" offenders may be identified and monitored in accordance with Operating Procedure 730.5, *Mental Health Services: Behavior Management*. At facilities with no QMHP, health trained staff should screen the offender to identify if there is any indication the offender may be "at risk". (5-4B-0010)
2. Health care personnel will be informed immediately when an offender is transferred from general population to General Detention in order to provide assessment per protocols established by the Health Authority. This assessment will determine the impact that restrictive housing may have on medical conditions exhibited by the offender and the possible alternatives that may be available to compensate for such conditions. (5-4A-4400, 5-4B-0029; 4-4400)

#### E. Initial Assignment to General Detention - Offender Classification Process

1. The Facility Unit Head or other Administrative Duty Officer must review the offender's placement in restrictive housing on General Detention within 24 hours and will either approve the placement or order the offender returned to their previous status when General Detention is not warranted. (5-4B-0002; 4-4250)
2. Within three working days of an offender's initial placement on General Detention, the MDT will review all available, relevant information and conduct a formal ICA hearing to determine the following:
  - a. For Security Level 1 institutions and Baskerville Correctional Center
    - i. The MDT will determine if the offender will be released to general population at their current institutional assignment.
    - ii. Offenders who cannot return to the general population at the current institution but would be suitable for general population at another equal or higher level institution should be recommended for transfer to an appropriate institution.
    - iii. Offenders who cannot return to the general population at the current institution and who are expected to require maximum security management in excess of 30 days should be recommended for transfer to the Centralized Restrictive Housing Unit.
  - b. For Security Level 2 and above institutions, the MDT will determine if the offender can return to the previous housing status (general population or step-down) or remain in the restrictive housing unit and assign to RHU or other appropriate internal status in restrictive housing.
3. For Security Level 2 and above institutions, within 10 working days (15 working days for investigative status) of an offender's initial placement on General Detention, the MDT will conduct a formal ICA

hearing to determine the following:

- a. Security Level 2 institutions
  - i. The MDT will evaluate the offender and determine if the offender will be released to general population at their current institutional assignment.
  - ii. Offenders who cannot return to the general population at the current institution but would be suitable for general population at another equal or higher level institution should be recommended for transfer to an appropriate institution.
  - iii. Offenders who cannot return to the general population at the current institution and who are expected to require maximum security management in excess of 30 days should be recommended for transfer to the Centralized Restrictive Housing Unit.
- b. Security Level 3 and above institutions (5-4B-0032)
  - i. The MDT will determine if the offender will be released to general population at their current institutional assignment.
  - ii. Offenders who will remain in the restrictive housing unit at their current institution, will be provided a management path (RHU, SD-1, SD-2) that is designed to address their behaviors and needs so that the offender can enter a full privilege general population. Restrictive housing offenders will be reviewed for placement in Step-down statuses and general population as soon as the risk is reduced to an acceptable level.
  - iii. Offenders who cannot return to the general population at the current institution and who are expected to require maximum security management in excess of 30 days (not achieve assignment to a Step-down level or full privilege general population) should be recommended for transfer to the Centralized Restrictive Housing Unit.
  - iv. Offenders who cannot return to the general population at the current institution but would be suitable for general population at another equal or higher level institution, based on the severity of behaviors, should be recommended for transfer to an appropriate institution.
  - v. Restrictive housing offenders will be reviewed for placement in Step-down statuses and general population as soon as the risk is reduced to an acceptable level.
4. Offenders with a *Serious Mental Illness* (SMI) must be reviewed within 10 working days after the initial placement on General Detention; the MDT will conduct a formal ICA hearing to evaluate the offender and determine the following: (5-4B-0031)
  - a. If the offender will be released to general population or placed in SD-1 or SD-2 within 28 days of initial placement on General Detention at their current institution
  - b. SMI offenders who will not be released to general population or placed in SD-1 or SD-2 within 28 days will be reviewed to determine appropriate placement from the options below:
    - i. Referral to Marion Correctional Treatment Center's (MCTC) Acute Care Unit in accordance with Operating Procedure 730.3, *Mental Health Services: Levels of Service*, if the offender meets the legal commitment criteria.
    - ii. Referral to a Mental Health Residential Treatment Unit or other Mental Health Unit in accordance with Operating Procedure 730.3, *Mental Health Services: Levels of Service*, when the offender does not meet the criteria for commitment to an Acute Care Unit but is unable to function in a general population.
    - iii. Referral to a *Secure Diversionary Treatment Program* in accordance with in Operating Procedure 830.5, *Transfers, Institution Reassignments*, if the offender frequently engages in assaultive, disruptive, and/ or unmanageable behaviors.
    - iv. Specialized placement in a *Secured Allied Management Unit (SAM)* in accordance with Operating Procedure 830.5, *Transfers, Institution Reassignments*.
  - c. SMI offenders must be moved out of Restrictive Housing (RHU) within 28 days of placement on General Detention unless a *Serious Mental Illness (SMI) 28 Day Exemption Request* been granted in accordance with Operating Procedure 425.4, *Management of Bed and Cell Assignments (Restricted)*.

5. Pregnant offenders and offenders under the age of 18 must be reviewed within 10 working days after the initial placement on General Detention; the MDT will conduct a formal ICA hearing to evaluate the offender and determine the following: (5-4B-0033, 5-4B-0034)
  - a. If the offender will be released to their previous housing assignment in general population or placed in SD-1 or SD-2 at their current institution within 28 days of the initial placement on General Detention
  - b. Pregnant offenders and offenders under the age of 18 who will not be released to their previous housing assignment in general population or placed in SD-1 or SD-2 within 28 days because they pose a risk to the safe, secure, and orderly operation of the institution will be reviewed by the MDT to determine appropriate alternate housing.
  - c. Pregnant offenders and offenders under the age of 18 who are SMI who will not be released to their previous housing assignment in general population or placed in SD-1 or SD-2 within 28 days must be reviewed by the MDT who will consult with the Psychology Associate Senior at CCS to determine appropriate alternate housing. (5-4B-0031)
6. Offenders in a restrictive housing unit who refuse assignment to general population due to an unspecified fear and not for a specific fear or threat, violent or aggressive behavior, or legitimate protective custody needs should be reviewed for transfer to the *Steps to Achieve Reintegration (STAR) Program*. (See Operating Procedure 830.5, *Transfers, Institution Reassignments*.)
7. Offenders in a restrictive housing unit and who are classified as requiring separation from other offenders as a result of their personal security needs should be reviewed for transfer to a Protective Custody Unit. (See Operating Procedure 830.1, *Institution Classification Management*, and Operating Procedure 830.5, *Transfers, Institution Reassignments*.)
8. Security Level S offenders in restrictive housing in excess of 90 consecutive days (SM-Special Management) or 180 consecutive days (IM-Intensive Management) due to temporary transfer for medical, court, etc., must be provided adequate recreation, program services, and privileges in accordance with the Red Onion State Prison/Wallens Ridge State Prison local operating procedure addressing the *Restrictive Housing Reduction Step-Down Program*.

#### F. Offender Management Path Development

1. Offenders at Security Level 2 institutions are not provided a management path. Offenders will be required to participate in journaling and/or other program assignments as deemed appropriate by the MDT.
2. Offenders at Security Level 3 and above institutions who will remain in the restrictive housing unit at their current institutional assignment will be evaluated and provided a management path that is designed to address their behaviors and needs so that the offender can enter a full privilege general population. (5-4B-0032)
  - a. Restrictive Housing (RHU) - To be used for offenders that must be managed under maximum security conditions.
  - b. Step-down 1 (SD-1) - To be used for offenders whose behavior does not rise to the level of RHU or whose behavior has improved since assignment to RHU to include completion of required programmatic goals.
  - c. Step-down 2 (SD-2) - To be used for offenders who have been identified as needing a more structured living environment than in general population but do not need the level of control provided in RHU or SD-1 and/ or offenders whose behavior has improved since assignment to RHU or SD-1 to include completion of required programmatic goals.
3. Appropriate members of the MDT will evaluate the offender and develop the offender's management path (RHU, SD-1, SD-2) within 10 working days (15 working days for investigative status) in accordance with this operating procedure. Evaluation tools and program components include but are not limited to the following: (5-4B-0032)
  - a. Review of COMPAS findings

- b. Case Plan review and development
- c. History of behavior
- d. Risk/Needs assessment
- e. Assessment of:
  - i. Disciplinary Violation goals - to reduce or eliminate disciplinary violations
  - ii. Mental Health goals - medication compliant, number of office visits per month, etc.
  - iii. Responsible behavior goals - personal hygiene, standing for count, cell compliance, department; satisfactory rapport with staff and offenders with compliance documented on the [Responsible Behavior Goals Progress Report](#) 841\_F22
  - iv. Journaling and/or program assignments relevant to offender needs and goals
- 4. Once the offender's management path is approved, the offender's Case Plan in VACORIS must be updated.
- 5. Offenders who refuse to participate in the requirements of their designated management path will be subject to disciplinary action in accordance with Operating Procedure 861.1, *Offender Discipline, Institutions*.
  - a. Offenders at Security Level 2 institutions, who refuse to participate in journaling and/or other program assignments, and offenders at Security Level 3 institutions will be given a warning for their first refusal to participate.
    - i. If the offender again refuses to participate, the offender will be charged with Offense Code 200, *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*.
    - ii. Upon conviction of Offense Code 200, the offender will be reviewed by the MDT for transfer to the Centralized Restrictive Housing Unit.
  - b. Offenders who refuse to participate in the requirements of their designated management path in the Centralized Restrictive Housing Unit will be given a warning for the first refusal.
    - i. If the offender again refuses to participate, the offender will be charged with Offense Code 119f, *Refusal to participate in the restrictive housing unit assignment*.
    - ii. Upon conviction of Offense Code 119f, the offender will be reviewed by the MDT for transfer to higher security level institution.
  - c. Offenders who refuse to participate at Security Level 4 and above institutions will be charged with Offense Code 119f, *Refusal to participate in the restrictive housing unit assignment* and managed in the restrictive housing unit at their current location.
  - d. After the first refusal and warning, the offender must be given the opportunity to comply. The offender cannot be charged with a disciplinary offense until the next seven day *Restrictive Housing Status Review*.
  - e. Upon conviction for refusal to participate, the offender should be reviewed for reduction to Good Time Class IV in accordance with Operating Procedure 830.3, *Good Time Awards*.
  - f. An offender shall be charged only once during a continued period of refusal.

#### G. Centralized Restrictive Housing Unit Transfers

- 1. Each institutional recommendation for offender transfer to the Centralized Restrictive Housing Unit must be based on a formal ICA Hearing conducted by the MDT and submitted via VACORIS in accordance with Operating Procedure 830.1, *Institution Classification Management*.
  - a. The MDT must submit justification with each request for transfer.
  - b. Each recommendation for transfer to a Centralized Restrictive Housing Unit will be reviewed by the appropriate authorities to determine if the transfer is warranted.
- 2. Security Level 4 and above institutions will not transfer offenders to the Centralized Restrictive Housing Unit, offenders who require maximum security management in excess of 30 days will be managed in the restrictive housing unit at their current location.

3. MDT recommendations for transfer other than to the Centralized Restrictive Housing Unit will be made through the normal processes appropriate to the type of transfer in accordance with Operating Procedure 830.5, *Transfers, Institution Reassignments*.

#### H. Restrictive Housing Status Reviews

1. Every seven days of an offender's first 60 days in RHU status and every 30 days thereafter, the MDT will perform a *Restrictive Housing Status Review* of all offenders assigned to RHU to monitor the appropriateness of this status. If a formal review of the offender's status is warranted, the offender will be served notice of an ICA hearing in accordance with Operating Procedure 830.1, *Facility Classification Management*. (5-4A-4253, 5-4B-0008; 4-4253)
2. The MDT will formally review the offender's status at least once every 30 days while they are assigned to any restrictive housing unit level. (5-4A-4254, 5-4B-0009, 5-4B-0032; 4-4254)
  - a. The MDT will conduct a formal due process hearing and review the offender's adjustment and behavior in accordance with Operating Procedure 830.1, *Institution Classification Management*.
    - i. The MDT will evaluate the offender and determine whether to recommend that the offender continue in the current restrictive housing level for a subsequent period of up to 30 days or be assigned to another level.
    - ii. The MDT should base its recommendation on the reason for the assignment, the offender's behavior, and any progress made on the management path and treatment objectives.
  - b. When the MDT determines that an offender's behavior or circumstances no longer warrant the current restrictive housing unit status, a recommendation for the offender's reclassification to a different status or release to full privilege general population should be made.
  - c. Offenders transferred for placement in the Centralized Restrictive Housing Unit who have completed SD-2 will be reviewed by the MDT to determine if the offender will be released to the full privilege general population at that institution or transferred to general population at another Security Level 3 institution.
  - d. The MDT should determine whether the offender poses an unacceptable risk to the offender to include personal protection and keep separates in the general population, or is a threat to other offenders, institutional staff, or the safe, secure operation of the institution.
    - i. Offenders in the restrictive housing unit pending approval for and transfer to a Protective Custody Unit or to the *Steps to Achieve Reintegration (STAR) Program* may be managed in the restrictive housing unit on RHU or SD-1 status as deemed appropriate by the MDT and approved by the Facility Unit Head or designee.
    - ii. Offenders under investigation by the Special Investigations Unit (SIU) who cannot return to general population and must remain in the restrictive housing unit, may be managed on RHU or SD-1 status as deemed appropriate by the MDT and approved by the Facility Unit Head.
    - iii. The MDT may recommend a transfer to another institution when return to the full privilege general population at that institution is not appropriate.
3. ICA hearings may be conducted by the MDT at the institution's discretion any time a significant change in circumstances or the offender's behavior warrants a review in accordance with Operating Procedure 830.1, *Institution Classification Management*.
4. Offenders assigned to a restrictive housing unit in excess of 30 days should not be discharged directly to the community. (5-4B-0030)
  - a. No less than 30 days prior to the offender's discharge date, the MDT will conduct a formal due process hearing to review the offender's status and determine if the offender can return to general population or if the offender must be discharged from the restrictive housing unit.
  - b. If the offender will be discharged from the restrictive housing unit, the MDT must document their justification on the *Institutional Classification Authority Hearing Notification* for review and approval by the Regional Operations Chief or Regional Administrator.
  - c. In addition to the release requirements mandated for all offender in Operating Procedure 050.3,



*Facility Release of Offenders*, Operating Procedure 720.3, *Health Maintenance Program*, and Operating Procedure 820.2, *Re-Entry Planning*, the following must be taken at a minimum

- i. Development of a release plan that is tailored to specific needs of the offender
- ii. Notification of release to the supervising P&P Office who will contact state and local law enforcement
- iii. Notification to releasing offender of applicable community resources
- iv. Notification to Victim, if applicable

5. Temporary Suspension of Time Frames

- a. 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.
- b. Offenders 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.
- c. Upon restoration of institutional order, all detained offenders will be subject to Institutional Classification Authority and other reviews in accordance with this operating procedure.

I. Security, Movement, and Control of Contraband

1. A Corrections Officer must check each offender in General Detention or on RHU status twice per hour, no more than 40 minutes apart, on an irregular schedule. (5-4A-4257, 5-4B-0011; 4-4257)
  - a. Offenders in SD-1 or SD-2 statuses should be checked on a similar schedule.
  - b. Offenders who are violent or mentally disordered or who demonstrate unusual or bizarre behavior will receive more frequent observation
  - c. Suicidal offenders are under continuous observation in accordance with Operating Procedure 730.5, *Mental Health Services: Behavior Management*
  - d. In addition to supervision provided by the unit Corrections Officers, the Shift Commander or higher authority will visit the restrictive housing unit daily. (5-4A-4258, 5-4B-0012; 4-4258)
2. A strip search must be conducted on each offender assigned to the restrictive housing unit before the offender exits their cell.
  - a. Each offender in General Detention or on RHU status will be placed in restraints and escorted by two certified Corrections Officers whenever outside a secure area, such as a cell, shower, or exercise module. (5-4B-0032)
    - i. An offender in SD-1 status at Security Level 4 and above institutions and the Centralized Restrictive Housing Unit will placed in handcuffs and escorted by two certified Corrections Officers. SD-1 offenders in Security Level 3 institutions may be moved within the restrictive housing unit area by two certified Corrections Officers without restraints and without direct escort.
    - ii. An offender in SD-2 status may be moved within the restrictive housing unit area by one certified Corrections Officer without restraints and without direct escort.
  - b. A frisk search will be conducted immediately after a restrictive housing unit offender is removed from their cell or other secure area.
  - c. A frisk search will be conducted on each offender prior to returning the offender to their restrictive housing unit cell.
3. Only one offender at a time may be out of a secure area in the restrictive housing unit unless both offenders are restrained with separate security escorts.
  - a. With approval of the Facility Unit Head, an exception may be made for offenders participating in small group programs (SD-2 - maximum ten offenders) within the restrictive housing unit area. (5-4B-0032)
  - b. Protective custody offenders must be separated from known keep separates. Such offenders must

be housed in separate cells and have no direct contact unless both offenders are in restraints with separate security escorts.

4. Each restrictive housing unit cell will be inspected whenever an offender is removed from the cell.
  - a. This inspection is a general review of sanitation conditions and scan for contraband.
  - b. The restrictive housing unit cell inspection may be conducted by one Corrections Officer and the offender need not be present.
  - c. A thorough search and inspection of the restrictive housing unit cell will be conducted and documented each time an offender is moved out of a cell, before another offender is moved into the cell.
5. All items entering the restrictive housing unit must be searched to detect and eliminate contraband.
6. Offenders from general population may provide housekeeping and other services in the restrictive housing unit.
  - a. If allowed to do so, each worker must be specifically authorized by the Chief of Security, will be searched (strip search for Security Level 3 and higher) upon entrance and exit, and must remain under direct supervision of a staff member at all times.
  - b. No offender worker will be allowed physical contact with a restrictive housing unit offender except as required for services rendered, i.e. barber.
7. All housing areas in the restrictive housing unit, to include cells housing offenders identified as potentially suicidal, must have readily accessible equipment and supplies necessary in an emergency.

#### J. Mental Health and Medical Reviews and Care

1. No offender will be denied necessary or proper medical, dental, and or mental health care while in a restrictive housing unit.
  - a. Any offender with identified mental health problems who is placed in General Detention or is on RHU status will be monitored per Operating Procedure 720.1, *Access to Health Services*, and Operating Procedure 730.5, *Mental Health Services: Behavior Management*.
  - b. Medical 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*.
  - c. Offenders should request dental services if needed. Dental staff will determine the need to provide dental care while the offender is in a restrictive housing unit.
  - d. Prescribed medications will be provided in accordance with Operating Procedure 720.5, *Pharmacy Services*. (5-4A-4261, 5-4B-0015; 4-4261)
  - e. Any "at risk" offender should receive a physical screening (i.e., weight and vital signs taken and recorded and checked for symptoms of possible side-effects to prescribed medication) by a qualified health care professional (i.e., RN, LPN/CNT, or CHA) no less than once every 14 days.
2. Unless medical attention is needed more frequently, each offender in General Detention or on RHU status will receive a daily visit from a qualified health care professional (not required for institutions that do not have medical staff on duty on weekends). (5-4A-4400, 5-4A-4258, 5-4B-0012, 5-4B-0029; 4-4258, 4-4400)
  - a. The visit ensures that offenders have access to the health care system.
  - b. The presence of a health care professional in the restrictive housing unit is announced and recorded.
  - c. Medical requests, medical staff visits, and medications administered or refused will be recorded.
  - d. Medical Practitioner visits to the restrictive housing unit are not required, offenders will submit a request to be seen by the Medical Practitioner through the established sick call process.
3. Unless mental health attention is needed more frequently, each offender on RHU status will receive a weekly visit from mental health staff in accordance with Operating Procedure 730.5, *Mental Health Services: Behavior Management*. (5-4B-0027, 5-4B-0029; 5-4B-0031)

- a. A QMHP will personally interview any offender remaining in RHU status for more than 7 days.
  - b. If confinement continues beyond 7 days, a mental health screening by a QMHP must be conducted within 7 days thereafter or more frequently if clinically indicated. (5-4A-4256, 5-4B-0010; 4-4256)
4. When an in-person assessment or examination of an offender in General Detention or on RHU status by a QMHP or other health care professional is conducted in the cell, the offender will be restrained and instructed to sit on their bunk.

#### K. Living Conditions and General Requirements for Restrictive Housing Units

1. On initial assignment to a restrictive housing unit, offenders should receive an orientation (written preferred but not required) on available services and how to access them. Offenders will have access to programs, privileges, education, and work opportunities to the extent possible while ensuring the offender's safety.
2. Offenders will receive laundry, barbering, and hair care services and are issued and afforded the opportunity to exchange clothing, bedding, and linen on the same basis as offenders in the general population. (5-4A-4263, 5-4B-0018; 4-4263)
3. Restrictive housing units provide living conditions that approximate those of the general offender population; all exceptions are clearly documented in this operating procedure. (5-4A-4140, 5-4B-0004; 4-4140)

##### a. Cell Conditions

- i. Restrictive housing cells/rooms permit the offenders assigned to them to converse with and be observed by staff members. (5-4A-4140, 5-4B-0004; 4-4140)
- ii. Space is available either inside the restrictive housing unit or external to the unit for treatment staff consultation with restrictive housing offenders. (5-4B-0004)
- iii. Restrictive housing cells or units should be well ventilated, adequately lighted, appropriately heated and maintained in a sanitary condition at all times.
- iv. Except in emergencies, the number of offenders confined to each cell or room should not exceed the number for which it is designed (usually one offender per cell).
  - (a) With the approval of the Facility Unit Head, in cells with proper equipment, suitable offenders in SD-2 may be double bunked if they are screened in accordance with Operating Procedure 425.4, *Management of Bed and Cell Assignments* (Restricted).
  - (b) If an emergency creates excess occupancy in the restrictive housing unit, the Facility Unit Head, or designee, should provide temporary written approval to exceed design capacity, and alleviate the situation as promptly as possible by providing other housing for the offenders so confined.

##### b. Correspondence

- i. Offenders are generally subject to the same mail regulations and privileges, including sending and receiving legal mail, as offenders assigned to general population in accordance with Operating Procedure 803.1, *Offender Correspondence*. (5-4A-4266, 5-4B-0021; 4-4266)
- ii. Secure messaging is a privilege, offenders assigned to General Detention and RHU status will not be provided access to the kiosk in order to retrieve or send their secure messages.
- iii. Offenders assigned to SD-1 and SD-2 will not have access to kiosks but may access their secure messages through the following process. (5-4B-0032)
  - (a) When requested by the offender, all incoming messages will be printed by institutional mailroom staff and delivered to the offender through the institutional mail.
  - (b) If a pre-paid stamp is purchased by the sender, the pre-paid stamp will remain on the offender's account for use once the offender is released to a housing unit with kiosk access.
  - (c) The offender may hand write a return letter and forward their response to the mailroom through the institutional mail for processing and delivery through the US Postal Service in the same manner as all other outgoing offender correspondence.
- iv. Offenders in the restrictive housing unit will not receive the contents of packages unless approved by the Facility Unit Head. Disapproved items may be stored if approved for general

population, returned to the sender at the expense of the offender or the sender, or disposed of in accordance with Operating Procedure 802.1, *Offender Property*.

c. Food

- i. Offenders assigned to a restrictive housing unit will receive the same number and type of meals served the general population.
- ii. Food will not be used as a disciplinary measure. Punitive diets (i.e., bread and water) for offenders are prohibited. (5-5C-4320; 4-4320)
- iii. On initial placement in a restrictive housing unit, the offender (if not on Common Fare) will designate if they want to receive regular or alternate entrée food trays.
  - (a) The Restrictive Housing Unit Supervisor must allow the offender the opportunity to change their choice of tray type every 90 days that they remain in a restrictive housing unit.
  - (b) An offender approved for Common Fare will be provided Common Fare meals while in the restrictive housing unit, if Common Fare is available at that institution.
- iv. Whenever the offender refuses to eat, a record should be made on the *Individual Offender Log*, *Special Watch Log* or the restrictive housing unit logbook if the offender is not on an individual log.
- v. Offenders who refuse to eat will be managed in accordance with Operating Procedure 420.2, *Use of Restraints and Management of Offender Behavior* (Restricted), and Operating Procedure 730.5, *Mental Health Services: Behavior Management*.
- vi. Offenders who abuse the trays or food products served to them will be managed in accordance with Operating Procedure 420.2, *Use of Restraints and Management of Offender Behavior* (Restricted).

d. Legal Access

- i. Offenders will not be prohibited from conducting litigation on their own behalf.
- ii. Offenders will be afforded access to institutional legal services to include the Facility Court Appointed Attorney and Law Library materials in accordance with Operating Procedure 866.3, *Offender Legal Access*. During orientation, offenders will be provided institution specific information on how to access legal services. (5-4A-4268, 5-4B-0023; 4-4268)
- iii. Attorney visits will occur during normal working hours of the institution unless otherwise approved by the Facility Unit Head or designee. Attorneys will be required to present proper identification before being admitted to the institution and the visit will be conducted in accordance with Operating Procedure 851.1, *Visiting Privileges*.
- iv. Legal calls will be conducted through the offender telephone system in accordance with Operating Procedure 866.3, *Offender Legal Access*.

e. Telephone (5-4A-4271, 5-4B-0026; 4-4271)

- i. Offenders will be permitted to place telephone calls in accordance with Operating Procedure 803.3, *Offender Telephone Service*. (5-4B-0032)
  - (a) General Detention/RHU will be allowed two calls per month
  - (b) SD-1 will be allowed four calls per month
  - (c) SD-2 will be allowed six calls per month
- ii. During orientation, offenders should be provided institution specific information on how to access telephone services including legal and emergency calls.

f. Visitation

- i. Offenders will have opportunities for visitation unless there are substantial reasons for withholding such privileges. (5-4A-4267, 5-4B-0022; 4-4267)
- ii. The visitation schedule for offenders in a restrictive housing unit will be established by the Facility Unit Head as permitted by available staff and facilities.
  - (a) Offenders should be provided a maximum of one visit per week for one hour with no more than five persons.
  - (b) Some facilities may set a lower limit on the number of visitors due to space limitations.
- iii. Visitation will be non-contact unless approved by the Facility Unit Head.

4. All offenders in a restrictive housing unit will be provided clothing that is not degrading, and access to basic personal items for use in their cells unless there is imminent danger that an offender or any other offender(s) will destroy an item, use it as a weapon or instrument of escape, or induce self-injury. (5-4A-4261, 5-4B-0016; 4-4261)
  - a. Clothing and Bedding
    - i. Upon arrival in a restrictive housing unit, offenders will be strip searched and should dress in state issue clothing
    - ii. The offender's personal clothing will be removed, and the offender will be furnished appropriate clothing and bedding in accordance with Operating Procedure 802.1, *Offender Property*.
      - (a) At least three times per week, clean state issue clothing should be immediately available when dirty clothes are taken off to be laundered.
      - (b) A clean washcloth and towel will be issued on a one-for-one exchange basis at shower time or included in the weekly linen exchange.
      - (c) Linens will be exchanged weekly.
    - iii. At the discretion of the Facility Unit Head, offenders may be issued the required amount of state clothing, wash clothes, towels, and linens on a weekly basis; the offender must receive three complete sets of clean clothing, a clean towel, washcloth, and linen at least once per week.
    - iv. Blankets will be exchanged as needed per the institution's schedule.
  - b. Personal Property
    - i. A Corrections Officer and the offender, or two Corrections Officers in the offender's absence, will inventory all personal property items when an offender is placed in the restrictive housing unit in accordance with Operating Procedure 802.1, *Offender Property*.
      - (a) Offenders should be issued only those items specified on the appropriate *Authorized Personal Property Matrix* while assigned to the restrictive housing unit.
      - (b) In addition to those property items allowed on the *Authorized Personal Property Matrix*, offenders assigned to SD-2, will be permitted to purchase consumable food items sold through the facility commissary. (5-4B-0032)
      - (c) Other personal property items that are not issued to the offender, but are allowed at the offender's security level and current institution will be placed in storage.
    - ii. The offender must be given a copy of the property inventory and will sign for all property issued while in a restrictive housing unit.
    - iii. The offender may request in writing any authorized personal property that was stored and not initially issued to the offender (i.e. hygiene items to replace items that have been consumed). All property taken from the offender's property storage and delivered to the offender will be documented on the initial inventory completed when the offender was initially placed in the restrictive housing unit.
    - iv. Offenders in a restrictive housing unit will not be allowed to purchase any property that is not specifically authorized for possession on the appropriate *Authorized Personal Property Matrix*.
      - (a) Any pre-approved item of personal property received that is not specifically authorized for offender possession in the restrictive housing unit, will be held in Personal Property and will not be issued to the offender.
      - (b) The offender will be notified of the receipt of property items by Personal Property staff via the [Personal Property Request - Add/Drop](#) 802\_F1.
      - (c) Offenders will not be allowed to view, try-on, or examine this property while assigned to the restrictive housing unit.
    - v. When an offender is discharged from a restrictive housing unit, the Restrictive Housing Unit Supervisor will be notified and will have the offender's property ready to be issued when the offender is released. The offender must sign for the property when issued.
  - c. Personal Hygiene
    - i. Offenders should have the opportunity to sponge bathe whenever they choose. They will be permitted to shower and shave not less than three times each week. (5-4A-4262, 5-4B-0017; 4-4262)

- ii. Offenders will be moved directly to and from the showers. Offenders should be allowed to take only the minimum items needed.
  - iii. Offenders are allowed to possess a reasonable quantity of personal hygiene items as determined by the Facility Unit Head consistent with the security needs of the institution.
    - (a) If the offender does not have basic personal hygiene items and is indigent, the institution should furnish them.
    - (b) The institution should provide security toothbrushes. Personal toothbrushes are generally not allowed since they may be used as weapons.
    - (c) No oils or lotions should be allowed, except prayer oil.
  - iv. Offenders should be provided razors by the institution.
    - (a) Personal razors should not be allowed.
    - (b) If the institution provides electric razors, they 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.
    - (c) Barbering services will be available on a regular basis.
5. Within the resources available to the institution, unless security or safety considerations dictate otherwise, offenders in restrictive housing units have access to educational services, commissary services, library services, social services, treatment services, religious guidance, and recreational programs. (5-4A-4273, 5-4B-0027; 4-4273)
- a. Commissary
    - i. Commissary orders will be taken at least 3 times per month on scheduled days.
    - ii. Offenders are allowed a \$40.00 spend limit per month. SD-2 offenders will be allowed an additional \$10.00 per month of consumable items. (5-4B-0032)
    - iii. Glass, metal, and other hazardous containers or products may be restricted if determined by the institution to pose a risk to security.
    - iv. Security writing instruments should be provided by the institution. Offenders who will remain in a restrictive housing unit in excess of 30 days may be required to purchase security writing instruments after the initial issue.
    - v. A list of approved Commissary items for restrictive housing unit offenders should be available in the unit.
  - b. Educational and Library Book Services (5-4A-4269, 5-4B-0024; 4-4269)
    - i. Offenders will have access to library books for personal use.
    - ii. Offenders will have access to educational services as determined by the institution Principal
  - c. During orientation, offenders will be provided institution specific information on how to access counseling services and program staff upon request and for emergencies. At a minimum, each offender on RHU status will receive a weekly visit from treatment staff (5-4A-4258, 5-4B-0012; 4-4258)
  - d. Religious Guidance
    - i. Offenders will be afforded access to religious guidance. During orientation, offenders will be provided institution specific information on how to access the Chaplain or other available religious services.
    - ii. Visits from spiritual leaders may be requested in accordance with Operating Procedure 851.1, *Visiting Privileges*.
  - e. Exercise (5-4A-4270, 5-4B-0025, 5-4B-0032; 4-4270)
    - i. Each institution should strive to confine offenders to their cells for less than 22 hours per day in restrictive housing units.
    - ii. Offenders assigned to General Detention and RHU status will be allowed a minimum of two hours of out of cell exercise five separate days per week in a supervised area, unless security or safety considerations dictate otherwise.
    - iii. Offenders assigned to SD-1 and SD-2 will be allowed a minimum of two hours of out of cell

- exercise seven separate days per week in a supervised area.
- iv. During periods of total institutional lockdown, out of cell exercise may be suspended for restrictive housing units.
6. Exceptions to normally provided living conditions, activities, and services are permitted only when found necessary by the Shift Commander; exceptions must be documented in accordance with Operating Procedure 425.4, *Management of Bed and Cell Assignments* (Restricted). (5-4A-4263, 5-4B-0017, 5-4B-0018; 4-4263)
- a. Unless offender behaviors or medical/mental health needs warrant the removal of specific property items or denial of specific activities, conditions for Mental Health and Medical Hold will conform to the living conditions for restrictive housing units.
- b. If access to activities and services is more restrictive for offenders identified as HRSV or who have alleged to have suffered sexual abuse or sexual harassment than for others in their housing status, staff will document the opportunities that have been limited, the duration of the limitation and the reasons for such limitations.

## V. REFERENCES

Operating Procedure 050.3, *Facility Release of Offenders*  
Operating Procedure 420.2, *Use of Restraints and Management of Offender Behavior* (Restricted)  
Operating Procedure 425.4, *Management of Bed and Cell Assignments* (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 Services: Behavior Management*  
Operating Procedure 802.1, *Offender Property*  
Operating Procedure 803.1, *Offender Correspondence*  
Operating Procedure 803.3, *Offender Telephone Service*  
Operating Procedure 820.2, *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 830.6, *Offender Keep Separate Management*  
Operating Procedure 851.1, *Visiting Privileges*  
Operating Procedure 861.1, *Offender Discipline, Institutions*  
Operating Procedure 866.3, *Offender Legal Access*

## VI. FORM CITATIONS

[Personal Property Request - Add/Drop](#) 802\_F1  
[Responsible Behavior Goals Progress Report](#) 841\_F22

## VII. REVIEW DATE

The office of primary responsibility shall review this operating procedure annually and re-write it no later than three years after the effective date.

*Signature Copy on File*

*1/31/19*

A. David Robinson, Chief of Corrections Operations

Date