



POLICY & PROCEDURES

.1201 CONDITIONS OF CONFINEMENT

The Department of Correction establishes the conditions of confinement governing facilities housing offenders in Administrative Segregation, Protective Control, Disciplinary Segregation, High Security Maximum Control, Maximum Control, Intensive Control, Death Row and as Safekeepers. Facilities must operate in accordance with these standards unless receiving an exception in writing.

This policy establishes specific conditions of confinement for the following classifications:

1. Maximum Control (Mcon)
2. Death Row (Drow)
3. Intensive Control (Icon)
4. Administrative Segregation (Aseg)
5. Protective Control (Pcon)
6. Disciplinary Segregation (Dseg)
7. Safekeeper (Skpr)
8. High Security Maximum Control (Hcon)

(a) Definitions:

- (1) Maximum Control (Mcon) - Maximum Control is the classification status established which requires the isolation of inmates who pose an imminent threat to the safety of staff or other inmates or who otherwise pose a serious threat to the security and operational integrity of the prison facility. Maximum Control housing units will be established at various facilities within the Division of Prisons approved by the Director of Prisons. Normally these housing units will be in the most secure areas within major institutions of the Division of Prisons. Inmates classified to Maximum Control will be subject to conditions as outlined in the following conditions of confinement policy. Inmates shall be assigned to Maximum Control for the period of time necessary to minimize their threat to staff and other inmates as determined by the appropriate classification authority.
- (2) Death Row (Drow) - Death Row is a classification status established for inmates sentenced to the Division of Prisons under a death order commitment. Only Central Prison and the North Carolina Correctional Institution for Women are authorized to establish a death row housing unit. Death Row classification inmates shall be housed

in a secure area of the facility and segregated from the general inmate population in so far as feasible.

- (3) Intensive Control (Icon) - Intensive Control is a classification status for inmates who have shown disruptive behavior through disciplinary offenses, assaultive actions or confrontations, or who are so continuously a disruptive influence on the operation of the facility that they require more structured management by prison authorities. Intensive Control status is generally less restrictive than the Maximum Control status.
- (4) Administrative Segregation (ASeg) - Administrative Segregation is the classification status for inmates who must be temporarily segregated from the general inmate population. This segregation status may be in a single cell or other housing unit determined appropriate by the facility head. Initial placement is primarily utilized for short-term removal from the regular population for administrative purposes based upon one or more of the following conditions:
 - (A) to protect staff and other inmates from the threat of harm by the inmate;
 - (B) to minimize the risk of escape by the inmate or others influenced by his/her actions;
 - (C) to preserve order;
 - (D) to provide necessary control while completing an investigation; or
 - (E) to remove an inmate from the population as a cooling off measure.
- (5) Protective Control (Pcon) - Protective Control is the classification status which inmates may be assigned separate from the general inmate population in order to protect the inmate from self-injury or the threat of harm by other inmates. Protective Control housing units will be established at various facilities within the Division of Prisons approved by the Director of Prisons.
- (6) Disciplinary Segregation (DSeg) - Disciplinary Segregation is the classification status assigned to inmates who are subject to punishment pursuant to authorized Division disciplinary procedures following being found guilty of a rule violation. Disciplinary Segregation housing units will be established at various facilities within the Division of Prisons approved by the Director of Prisons to the extent necessary in order to enforce inmate conduct rules.

- (7) Safekeeper (Skpr) - Safekeeper is the classification status established for inmates transferred to the Division from local confinement facilities for the purpose of pre-trial detention. Inmates classified as Safekeeper shall be housed in a cell separate from that used for the confinement of inmates convicted of criminal behavior except when admission to an inpatient prison medical or mental health unit is required to provide services deemed necessary by a prison health care clinician. Facilities within the Division of Prisons will be designated and approved by the Director of Prisons to house Safekeepers.
- (8) High Security Maximum Control (Hcon) - High Security Maximum Control is the classification status established for inmates who pose the most serious threat to the safety of staff and other inmates or who pose the most serious threat to the security and integrity of prison facilities and require more security than can be afforded in Maximum Control.
- (b) Authority to Designate Segregation and Control Housing
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| (1) | Maximum Control (Mcon): | Director of Prisons |
| (2) | Death Row (Drow): | Wardens - Central Prison/ NCCIW |
| (3) | Intensive Control (Icon): | Director of Prisons |
| (4) | Administrative Segregation (Aseg): | Superintendent/Warden |
| (5) | Protective Control (Pcon): | Director of Prisons |
| (6) | Disciplinary Segregation (Dseg): | Director of Prisons |
| (7) | Safekeeper (Skpr): | Director of Prisons |
| (8) | High Security Maximum Control (Hcon): | Director of Prisons |
- (c) No inmate is entitled to specific conditions of confinement until he/she has been transferred to a facility designated for that specific type of control. As an example, an inmate approved for HCON should be housed under the conditions of confinement for MCON until

transferred to an HCON facility.

- (d) Appropriate staff shall be responsible for making all entries into the Offender Population Unified System (OPUS).
- (e) All segregated and control inmates must be personally observed by custody staff at least every thirty (30) minutes on an irregular schedule. Inmates who are violent or mentally disordered or who demonstrate unusual or bizarre behavior receive more frequent observation consistent with the Division's Health Care policy, TXIII-7 Self-Injurious Behavior. At Risk Self-Injurious Behavior inmates will be under continuing observation consistent with the Division's Health Care policy, TXIII-7 Self Injurious Behavior. (4-4257)
- (f) All segregated and control inmates must receive daily visits from the officer in charge, daily visits from a qualified health care staff member (unless medical attention is needed more frequently), and visits from program staff upon request by staff or inmates. Facilities who don't have access to 24/7 medical staff will utilize the Health Care Policy and Procedures for Triage (TX I-8) Appropriate staff shall be responsible for documenting these visits. (4-4258)
- (g) Inmates in Administrative Segregation, Maximum Control, Intensive Control, and Protective Custody will have their status reviewed and documented by designated staff every seven days for the first two (2) months and at least every thirty (30) days thereafter. This review schedule will be continuous for inmates who moved from Aseg to Control status, etc. (4-4253)
- (h) Significant events will be logged on the DC-141 by staff assigned to the control facility. Significant events may include medical attention, shower, exercise, meals, and any behavior warranting staff intervention. The DC-141 will be completed on each inmate. DC-141s are not required for Death Row and Safekeepers.
- (i) A control facility log indicating date and time entering and exiting the unit and the purpose of the visit will be maintained and signed by all staff entering the control unit. **(4-4260)**
- (j) Any time a segregated or control inmate is denied of any usually authorized item or activity, a report of the action is filed in the inmate's case record and forwarded to the facility's Assistant Superintendent for Custody and Operations. (4-4265)

.1202 PROCEDURE

The application of each standard (condition of confinement) is specified in the bold-faced column boxes immediately following each standard.

.1203 SANITATION/SAFETY/PERSONAL HYGIENE

- (a) Inmates will be required to maintain care of living quarters and observe standards of personal cleanliness as outlined in B .0301 (c) and (d) unless stated otherwise in this policy. Cleaning materials necessary for this purpose shall be furnished and controlled by supervisory staff. Housing facilities shall be adequately heated, properly lighted, and adequately ventilated and inspected daily or more often.

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- (b) Personal safety standards shall be maintained in each cell.

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- (c) To prevent the risk of fire and to minimize potential damage to state property, smoking materials will not be allowed in sections of the facility housing Administrative Segregation, Disciplinary Segregation, High Security Maximum Control, Maximum Control and Intensive Control. Where offender classifications are mixed, restrictions on smoking materials will be imposed by the facility head.

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- (d) The facility head shall determine the level of restriction of smoking materials for Protective Control, death row, and safekeeper inmates.

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- (e) Cell inspections will be logged on a shift log.

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- (f) Assigned inmates shall maintain standards of personal hygiene **as per Division policy E.2100**. All inmates without funds shall be issued necessary personal hygiene items. The issuance of personal hygiene items to inmates without funds is an internal matter governed by DOC Fiscal Administration Policies and Procedures, Section .1105.

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- (g) Personal hygiene kits will be provided for all inmates assigned to Intensive Control, Maximum Control and High Security Maximum Control.

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- (h) Inmates assigned to control will be eligible for a haircut after serving thirty (30) days of confinement. Thereafter, haircuts may be requested once every thirty (30) days. Haircuts should be pursuant to policy E.2107. Haircuts will be documented on the DC-141.

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.1204 MEALS

- (a) Inmates assigned to administrative and Disciplinary Segregation, Maximum Control, safekeeping, Intensive Control, and High Security Maximum Control shall receive meals in their cells.

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- (b) Inmates assigned to Protective Control and death row may be permitted to receive meals outside the cell if control can be maintained in the protective and death row facility.

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- (c) Safekeepers may receive their meals in the dining facility provided the route to and from the dining facility is completely cleared of all other inmates and provided further there are no other inmates, including food service workers, in the dining facility during the meals. Otherwise, Safekeepers should receive their meals in their cell.

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.1205 SHOWER/SHAVE

- (a) Unless specifically restricted under the provisions of this policy, inmates assigned Administrative and Disciplinary Segregation, Safekeeping, Maximum Control, Intensive Control, High Security Maximum Control and Death row will have the opportunity to shave and shower at least three times per week. Showers will be limited to a maximum of ten (10) minutes per day. Medical authorities may grant exceptions to the three times per week shower/shave requirement for specific reasons. The action or the refusal to shave or shower shall be documented on the DC-141. **(4-4262)**

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- (b) Exceptions to the requirement for shower/shave may be approved by the Regional Director or designated representative for a specified period of time upon consultation with the Director of Prisons. The request for exception outlining the reasons for the action shall be submitted through the chain of command as described in Section .1216. Causes for requesting exceptions may include but are not limited to, facility needs and contingencies created by prison emergencies, natural disasters, or loss or curtailment of physical plant operations as the result of construction or renovation projects. In emergency situations, the requirement for shower and shave may be suspended by the Emergency Response Manager pending notification and/or instructions from the Region Director or designee.

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- (c) An inmate may be denied shower and shave on a daily basis for refusing to comply with control procedures. Cell restriction may be considered if the inmate demonstrates behavior, which presents a clear and present danger to staff or other inmates, if the inmate is removed from the cell. The reasons for restricting the shower/exercise period shall be documented on a DC-141.

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- (d) Maximum Control and High Security Maximum Control inmates will be showered individually. Refer to Section .1217 a. 2. for requirement for application of restraints

during movement to and from shower exercise areas.

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- (e) Inmates who present a threat to the order of security of the institution may be showered and shaved individually in full restraints if necessary.

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- (f) Other than Maximum Control and High Security Maximum Control, assigned inmates may be showered and shaved in small, manageable groups as defined by the individual facility's standard operating procedures.

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.1206 EXERCISE PERIODS

- (a) Unless specifically restricted under the provisions of this policy, inmates assigned to death row and inmates assigned as Safekeepers shall be provided one hour per day to exercise outside the cell. This action or the refusal to exercise shall be documented on the DC-141. (4-4270)

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- (b) Inmates assigned to Administrative Segregation, and Disciplinary Segregation, Intensive Control, Maximum Control, High Security Maximum Control, Protective Control, shall be allowed one hour per day, five days per week exercise outside the cell, unless safety or security considerations dictate otherwise. Medical authorities may grant exceptions to the five times per week exercise requirement for specific reasons. The exercising of an inmate or the inmate's refusal to exercise shall be documented on form DC-141.

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- (c) Outdoor exercise cells should be used as the primary exercise areas except during inclement weather or for security reasons. Inmates should be allowed to exercise unrestrained subject to any exception which may be granted by the Director's

Classification Authority (DCA) for male inmates or by the Director’s Classification Committee (DCC) for female inmates under provisions .1217 of this policy. Exception: Inmates assigned to control status who are housed in facilities designated High Security Maximum Control by the Director of Prisons will exercise in exercise areas consistent with the Progressive Behavioral Program level to which the inmate is assigned.

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- (d) Exceptions to the requirement for exercise periods may be approved by the Regional Director or designated representative for a specified period of time upon consultation with the Director of Prisons. The request for exception outlining the reasons for the action shall be submitted through the chain of command as described in Section .1216. Causes for requesting exceptions may include but are not limited to, facility needs and contingencies created by prison emergencies, natural disasters, or loss or curtailment of physical plant operations as the result of construction or renovation projects. In emergency situations, the requirement for exercise periods may be suspended by the Emergency Response Manager pending notification and/or instructions from the Region Director or designee.

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- (e) An inmate may be denied exercise on a daily basis for refusing to comply with control procedures. Cell restriction may be considered if the inmate demonstrates behavior, which presents a clear and present danger to staff or other inmates, if the inmate is removed from the cell. The reasons for restricting the shower/exercise period shall be documented on a DC-141.

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- (f) Maximum Control and High Security Maximum Control inmates will be exercised individually. Refer to section. 1216 (a) (2), concerning requirements for application of restraints during movement to and from exercise areas.

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- (g) Inmates who present a threat to the order of security of the institution may be showered and exercised individually in full restraints if necessary.

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- (h) Other than Maximum Control and High Security Maximum Control, assigned inmates may be showered and exercised in small, manageable groups as defined by the individual facility's standard operating procedures.

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.1207 PROCEDURES TO RESTRICT OUTSIDE CELL ACTIVITIES

- (a) In any instance where an inmate, if allowed outside the cell, has seriously assaulted or threatened to assault staff or other inmates or where significantly disruptive behavior has been demonstrated or threatened, such action shall be documented and additional structured limits on outside cell activities for that inmate shall be imposed. These limits may be initially authorized by the facility head or designee for not more than three (3) working days.

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Restrictions may include:

- (1) Movement to and from shower/exercise area in restraints.
 - (2) Exercise in control restraints.
 - (3) Shower in restraints.
 - (4) Temporary suspension of visits
- (b) Procedures to restrict outside cell activities beyond three (3) working days are:
 - (1) A control referral shall be prepared documenting the reasons for the restrictions. It shall be forwarded through the chain of command to the Manager of Classification. The Classification Manager will review the recommendations and forward the referral to the Director's Classification Authority (DCA) if the inmate is male and to the Director's Classification Committee (DCC) if the inmate is female.

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(2) Upon notification by the Classification Manager, the Director's Classification Authority/Director's Classification Committee shall within five (5) working days set the date on which a hearing for the inmate will be held. Outside cell activities shall be restricted pending the hearing. Working days are Monday through Friday exclusive of holidays.

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(3) The inmate shall be provided **forty-eight (48)** hours advanced written notice (DC-123) of the hearing to consider additional restrictions. **(4-4302)**

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(4) If additional restrictions are approved by the Director's Classification Authority/Director's Classification Committee, this is documented on the IS11.

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(5) In any case where the Director's Classification Authority/Director's Classification Committee has approved the imposition of additional restrictions on outside cell exercise activities, each inmate shall be advised of specific alternative exercise programs.

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(6) Shower and exercise restrictions imposed by the Director's Classification Authority/Director's Classification Committee shall be reviewed at 30-day intervals by the Director's Classification Authority/Director's Classification Committee (DC-121). Authority to remove the restrictions shall be vested with the Facility Head or designee.

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.1208 TRUST FUND WITHDRAWALS

- (a) Assigned inmates may draw or otherwise be allowed access to the amount of personal funds authorized by policy Section F.0503 (2) per week from the Inmate Trust Fund unless assigned to Disciplinary Segregation, Intensive Control, Maximum Control or High Security Maximum Control.

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- (b) Disciplinary Segregation inmates will be allowed ten dollars (\$10.00) per week.

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- (c) Inmates assigned to Intensive Control, Maximum Control and High Security Maximum Control may not make trust fund withdrawals with the following exceptions: They may, be allowed to send money to family members, as usual, and to make weekly purchases from the canteens as outlined in Section C.1209 (c) of this policy. They may also order authorized publications directly from the publisher.

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.1209 CANTEEN ORDERS

- (a) Inmates assigned as Safekeepers, to Protective Control, Administrative Segregation and death row are permitted to have canteen orders filled not less three (3) times per week.

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- (b) Inmates assigned to Disciplinary Segregation will not be permitted to have canteen orders filled except for stamps, over the counter medications, and essential personal hygiene items.

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- (c) Inmates assigned to Intensive Control, Maximum Control and High Security Maximum Control shall be afforded no canteen privileges with the following exceptions: They may purchase a radio, a watch, and shower shoes on an as needed basis. They may purchase postage stamps, limited over the counter medication and three radio batteries per week. Prior to purchasing new batteries, the old batteries must be turned in. Control Population Hygiene Kits will be supplied by the facility. The number of stamps an inmate will be allowed to possess is limited to twenty five. Inmates found to be in possession of more than twenty five stamps will be subject to disciplinary action. Excess stamps will be confiscated and held in a secure manner pending disciplinary proceedings. Facilities with a cash drop box will drop the excess stamps in the box in the same manner they drop cash. Facilities should modify their facility form to add a category for stamps. In both instances, the excess stamps will go into a facility safe as soon as possible. Once the inmate pleads guilty or is found guilty of the disciplinary offense, the stamps will be transferred into the indigent stamp inventory. Those stamps will be utilized to mail letters for indigent inmates. Each facility will be responsible for making provisions to allow inmates to mail his/her legal mail, if the inmate can demonstrate that additional stamps are required. This process will not hinder the inmate’s right to mail legal documents. A comb or brush and a pen will be issued, as well, by the facility.

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- (d) Inmates assigned to Intensive Control, Maximum Control and High Security Maximum Control do not have canteen privileges, therefore they must request medication through sick call, as opposed to purchasing medication from the canteen. The only exception for this as noted in item (c) above is that they may purchase limited over the counter medication such as Tylenol and antacid.

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.1210 PERSONAL PROPERTY

- (a) Assigned inmates may have personal property including authorized religious material, books and magazines not exceeding two (2) cubic feet. Refer to the Religious Practices Reference Manual for a list of authorized items of personal property for inmates on control status. Under no circumstances will inmates be allowed to accumulate materials constituting a health, fire, or security hazard. Unauthorized property will be handled in accordance with DOP policy F.0504. Inmates will be allowed to possess legal materials in accordance with Division of Prisons’ Policies F .0503 (b) and G .0208.

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- (b) Personal and state issued property may be temporarily removed from the cell if the inmate presents or threatens behavior that could result in loss of property or life. Such behavior may include self-injurious actions or setting fires. Removal and restoration of property shall be documented on a DC-141 and DC-160.

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.1211 TELEVISION PRIVILEGES

- (a) Inmates assigned to Protective Control will be permitted television privileges daily (Monday through Friday) from 5:00 p.m. to 10:00 p.m. Saturday, Sunday, and holiday television privileges will be from 1:00 p.m. through 10:00 p.m. The officer in charge of the facility may extend television hours for selected events.

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- (b) Inmates assigned to Administrative Segregation, Intensive Control, Maximum Control, High Security Maximum Control and Disciplinary Segregation will not be authorized television privileges.

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- (c) If approved by the Director of Prisons, television privileges may be authorized by the facility head for death row and safekeeper inmates depending upon programmatic needs of the offender and physical plant characteristics.

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- (d) Television privileges may be suspended without prior notice by the officer in charge of the facility, if necessary, to maintain order and control. If such action is taken, the officer in charge will document the reasons for this action on the segregation log.

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.1212 RADIOS

- (a) Assigned inmates will be permitted to use DOP authorized radios with an earplug/earphone only in accordance with policy F .0503 (6). No inmate shall be allowed to have in his/her possession more batteries than required to operate his/her radio.

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- (b) Radios may be confiscated without prior notice by the officer in charge of the facility, if necessary, to maintain order and control. When such action is taken, it will be documented on the DC-141 by the officer in charge of the facility and recorded on the inmate’s personal property inventory (DC-160).

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- (c) Inmates assigned to Disciplinary Segregation will not be permitted to use a radio while in that status.

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.1213 MAIL

- (a) Inmates assigned shall have the same mail privileges as inmates in the population.

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- (b) Incoming and outgoing mail will be handled in accordance with D .0307.

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.1214 TELEPHONE PRIVILEGES

- (a) Inmates assigned to safekeeping, Administrative Segregation, Intensive Control, Maximum Control, Protective Control and death row will be allowed telephone privileges

based on control and safety considerations as designated by the Facility Head.

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- (b) Inmates assigned to Disciplinary Segregation and High Security Maximum Control will be allowed limited telephone privileges except for calls related specifically to access to the attorney of record, based on control and safety considerations as designated by the Facility Head

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.1215 VISITS

- (a) Protective Control inmates will generally be allowed contact visiting privileges in prescribed visiting areas where possible.

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- (b) Administrative or Disciplinary Segregation, Maximum Control, Intensive Control, High Security Maximum Control, Safekeepers and death row offenders will normally visit only in the noncontact visiting area.

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- (c) Visiting schedules shall be structured by appointment only between the hours of 9:00 a.m. and 3:00 p.m. Monday through Friday. No visiting privileges shall be allowed on state legal holidays. Visits will be limited to one (1) hour per visit. The officer in charge of the facility may alter the visiting day, time and the number of visits, or may suspend the visit.

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- (d) Inmates assigned to Intensive Control, Maximum Control and High Security Maximum Control shall have visitation restricted to two times every thirty (30) days. The thirty (30) days will begin at the initiation of the first visit.

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.1216 USE OF RESTRAINTS-INTERNAL MOVEMENT/CONTROL

(a) The use of restraints shall be required to assure the safety of staff and inmates for any internal movement as follows:

(1) Hand restraints may be authorized for Protective Control, death row, and Safekeepers.

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(2) Hand restraints and waist controls are required for Maximum Control, Intensive Control and High Security Maximum Control inmates being moved from housing units to another location within the facility. Security procedures will be developed by the Facility Head of each facility housing Maximum Control, High Security Maximum Control, Intensive Control inmates to ensure that these inmates are moved in a safe and secure manner when movements of these inmates is required within the designated housing unit. Secure outside exercise areas located adjacent to the designated housing unit are considered part of the designated housing unit. Security procedures developed by the Facility Head of each facility must be approved by the Region Director.

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(3) Leg restraints are authorized for any offender presenting an immediate threat.

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(b) Except as provided in C.1217 (a) (3) above, inmates assigned to Protective Control, safekeeping and death row shall be showered and exercised without restraints in controllable groups or individually under appropriate staff supervision. If an inmate's current prior behavior warrants the use of restraints, this action shall be documented on the DC-141.

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(c) The Officer-In-Charge may authorize the use of restraints to immobilize an inmate in accordance with F .1504 (e).

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(d) Leg cuffs will be used on all High Security Maximum Control inmates.

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.1217 ACCESS TO HEALTH CARE

(a) Inmates shall have access to health care consistent with Health Care Policy.

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(b) Inmates requesting to be seen by the health care provider during regularly scheduled sick call shall make this request known to the officer in charge. Each inmate requesting to be seen shall be evaluated by the health care provider conducting scheduled sick call.

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(c) When it is not possible or appropriate, due to safety concerns for an inmate to be brought to medical for a sick call, a registered nurse or provider shall visit the inmate in the segregation area to evaluate, treat, or refer as deemed appropriate. A record of the visit shall be recorded on the control log. The results of sick call visits shall be recorded in the individual outpatient health record. If the inmate refuses medical care, this shall be documented on the DC-141.

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.1218 WORK ASSIGNMENTS

(a) Wherever appropriate and consistent with custody and control considerations, inmates assigned may be required to perform structured task assignments.

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- (b) Safekeepers cannot be required to perform regular work assignments.

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.1219 PROGRAM ASSIGNMENTS

Inmates assigned to these controls may be authorized to participate in part time or in-cell programs provided adequate security is available; however, Safekeepers will not participate in program activities with convicted offenders. These programs are:

- (a) Cell study

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- (b) Portable Library

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- (c) Pastoral Counseling

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- (d) Religious Services

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- (e) Anger Management

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- (f) Organized Recreational Activities

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Additional programs require the approval of the Director of Prisons.

.1220 SENTENCE CREDITS PROHIBITED

- (a) Inmates assigned to Aseg, Icon, Dseg, Mcon and Hcon will not be eligible to receive sentence credits for task assignments or program assignments.

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- (b) Pretrial Safekeepers are not eligible for good time or earned time credits.

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.1221 LIBRARY

Library books will be made available on a regular basis.

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.1222 TENNIS SHOES

Inmates assigned to Intensive Control, Maximum Control and High Security Maximum Control Status will be provided with state issued tennis shoes.

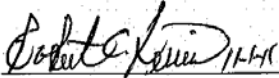
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.1223 TYLENOL AND ANTACID

Inmates will be provided two Tylenol tablets and two antacid tablets per day upon request. There will be no charge to the inmate for the medication. The officer in charge of the housing area will maintain a log that must be completed prior to dispensing these medications. The log will list the following information: inmate name and number, housing location, date, time, inmate signature and officer’s initials. The log includes a disclaimer statement which the inmate must sign in order to receive the medication. This log will be submitted daily to the Nurse Supervisor/Lead Nurse. A medical staff person will review the logs daily to insure the medication is not being misused or that an individual inmate is not receiving daily dosages for problems that medical staff are not

aware of.

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Director of Prisons Date

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