



Operating Procedure

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Amended	Operating Level Department
Supersedes Operating Procedure 861.3(11/1/09)	
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ACA Standards 4-4140, 4-4249 thru 4-4258, 4-4261, 4-4262, 4-4263, 4-4265 thru 4-4273, 4-4320, 4-4400, 4-ACRS-5A-06	
Office of Primary Responsibility Deputy Director of Operations Deputy Director of Community Corrections	

Subject
SPECIAL HOUSING

Incarcerated Offender Access Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	FOIA Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Attachments Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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I. PURPOSE

This operating procedure provides for the classification of offenders incarcerated in Department of Corrections institutions to General Detention, Pre-Hearing Detention, Disciplinary Segregation, and Segregation statuses, minimum standards for the operation of special housing units, and minimum standards for the care and custody of offenders assigned to each of these statuses. (4-4249)

This operating procedure also provides for the detention and consideration for program removal of offenders in DOC Community Corrections facilities.

II. COMPLIANCE

This operating procedure applies to all facilities operated by the Department of Corrections (DOC). Practices and procedures shall comply with applicable State and Federal laws, Board of Corrections policies and regulations, ACA 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 730.4, *Offenders "At Risk" in Special Housing*.

Facility Review Committee - A treatment team of at least three facility staff members, normally including the offender's Counselor or Probation Officer; Assistant Unit Head or Security Supervisor; and one from the following: Senior Probation Officer, DCE Instructor, or another Counselor. (Community Corrections facilities only)

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

Institutional Classification Authority (ICA) - The facility staff person designated to conduct offender case review hearings. Hearings related to special housing status review are formal due process hearings.

Intractable Behavior - Behavior which, in the determination of the Department of Corrections, (i) indicates an (offender's) unwillingness or inability to conform his/her behavior to that necessary to his/her successful completion of the program or (ii) is so disruptive as to threaten the successful completion of the program by other offenders. - [COV §19.2-311](#) (applies to youthful offenders) and [COV §19.2-316.1](#) (applies to Community Corrections facilities)

Disciplinary Segregation - Special purpose bed assignments, in which the offender is confined without privileges - imposed by the Hearings Officer as a penalty for conviction of a disciplinary offense.

Pre-Hearing Detention - Special purpose bed assignments, utilized under proper administrative process, for the immediate confinement of offenders who have been charged with an offense under the Offender Disciplinary Procedure, are awaiting a Disciplinary Hearing, and are considered to be a potential threat to

persons or property, or for escape.

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 Segregation, 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, Psychiatrist, Social Worker (Masters level), or Registered Nurse or an individual with at least a Masters degree in psychology, social work, or relevant human services field with knowledge, training, and skills in the diagnosis and treatment of mental disorders.

Segregation - 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.

Special Housing - A general term for special purpose bed assignments including segregation, disciplinary segregation, general detention, and pre-hearing detention

IV. COMMUNITY CORRECTIONS FACILITIES

A. Community Corrections facilities do not use special housing units but there is occasional need to detain an offender to preserve the orderly operation of the facility and to ensure the safety of the offender pending the review for possible removal of the offender from the program.

B. Other sections of this operating procedure do not apply to Community Corrections facilities except as specifically referenced in this section.

C. Detention of Offenders - General Procedures

1. The Facility Unit Head should delegate in writing those facility employees who may authorize the detention of an offender. This authorization will be posted or maintained in a procedure manual easily accessible to all facility employees.
2. Any offender may be detained in approved restraints (in accordance with Operating Procedure 420.2, *Use of Restraints and Management of Offender Behavior*) or within a secured holding cell as determined by the delegated authority.
3. Any time an offender is detained, the facility Administrative Duty Officer shall be notified immediately, and permission will be secured to continue the use of mechanical restraints and/or placement in a holding cell.
4. An offender should not be detained in restraints for a period greater than four hours. If it becomes necessary to maintain the restraints for a period of more than four hours due to the offender's intractable behavior, the offender will be given the opportunity to use the restroom.
5. Detentions shall not be used for disciplinary or punishment sanctions.

D. Use of Holding Cells

1. The Assistant Facility Unit Head shall review any detention of an offender within 72 hours or less and recommend to the Facility Unit Head release of the offender, referral to the Hearings Officer, or referral to the Facility Review Committee for formal review of program continuation/removal.
2. Any offender detained in a holding cell through a meal shall be fed the same meals on the same schedule as the rest of the population.
3. Any offender detained in a holding cell shall be given prescribed medication as scheduled.

4. A holding cell used for overnight housing shall be equipped with a bed above floor level, a working toilet, hand basin, appropriate lighting, and ventilation.
 5. Any offender detained in a holding cell overnight should be provided with the same bed linens and mattress and pillow as permitted the general population, offender behavior permitting.
 6. Detention, not to exceed 72 hours, may be utilized during an investigation while facts and information are gathered prior to the filing of a Disciplinary Report.
 7. Any offender detained in a holding cell will be permitted to shower and shave at least every third day.
 8. Offenders that are detained in a holding cell should forfeit all personal property privileges. Offenders should be provided appropriate clothing and may be permitted to have one religious book. All personal property shall be secured and inventoried at the time the offender is placed in the holding cell.
 9. Each offender detained in a holding cell should be checked by a corrections officer at least every 60 minutes on an irregular schedule, with each check recorded on the [Special Housing: Individual Log](#) (425_F4).
 10. While detained in a holding cell, each offender that is believed to be under the influence of drugs or intoxicants should be checked by a corrections officer at least every 15 minutes, with each check recorded on the [Special Watch Log](#) (425_F5).
 11. While detained in a holding cell, each offender who is believed to be a threat to self should be checked by a corrections officer at least every 15 minutes, with each check recorded on the [Special Watch Log](#) (425_F5).
- E. Program Removal
1. Generally, offenders can be removed from the program for
 - a. Voluntary withdrawal from the program
 - b. Removal from the program by the DOC for intractable behavior as defined in § [19.2-316.1](#)
 - c. Failure to comply with the terms and conditions of probation, parole, or mandatory release
 2. An offender who is removed or voluntary withdraws from a Community Corrections facility program is subject to the Court or Parole Board evoking a show cause on the offender to show why the offender's probation, parole, or post release supervision and suspension of sentence should not be revoked.
 3. The Facility Unit Head should approve all program removal actions. If the Facility Unit Head is unavailable, the Assistant Facility Unit Head may approve program removal actions. (4-ACRS-5A-06)
 4. Voluntary Withdrawal
 - a. An offender may make a request for voluntary program removal at any time during their tenure in the program.
 - b. A program staff member, generally a Counselor or Probation Officer, should meet with the offender and review the offender's decision with them to assure that the offender is aware of all possible consequences of their decision.
 - c. Results of this meeting should be reported to the Facility Unit Head to aid in decisions concerning the offender's status and appropriate handling of the case.
 5. Involuntary Removal

- a. In accordance with Operating Procedure 720.1, *Access to Health Services*, an offender may be medically removed from the program if a medical condition prevents the offender from participating in the program.
- b. Recommendations for program removal may be made as the result of Disciplinary Hearings, actions by the Facility Review Committee, or by recommendations from facility staff.
- c. Disciplinary hearing documents or Facility Review Committee documentation resulting in the recommendation for removal should bear the review signature of the Facility Unit Head or in his/her absence the Assistant Facility Unit Head.

F. Issuance of PB-15 Warrant

1. Upon approval of a program removal action, the approving authority should instruct the Senior Probation Officer or Probation Officer to prepare a PB-15 Warrant in VACORIS.
2. Notification of a PB-15 warrant issuance should be made to the receiving jurisdiction of the offender by the next working day. Documentation of notification should be made in the *Case Notes*. A copy of the PB-15 should be given to the offender and a copy should be placed in the offender's facility case record.
3. A *Major Violation Report* should be generated in VACORIS by a facility Probation Officer detailing the behaviors, reasons, and actions resulting in the program removal. The *Major Violation Report* may contain a recommendation by the facility to the local P&P District for a Request for Capias.
4. If the offender has been placed in the program by the Parole Board, after the issue of the PB-15 warrant, the offender will be placed in the local jail closest to the facility. A *Notice of Preliminary Parole/Probation Violation Hearing* will be prepared by the Facility Probation Officer and the procedures in Operating Procedure 920.6, *Violation of Supervision Conditions*, should be followed. A preliminary parole violation hearing will be held with the facility Probation Officer serving as the reporting officer.

G. Documentation

1. All actions related to detention or removal of a Community Corrections offender should be recorded in the offender *Case Notes*.
2. Copies (or originals if available) of all documents related to detention or removal of a Community Corrections offender should be placed in the offender Case Record.

V. SPECIAL HOUSING IN INSTITUTIONS – GENERAL REQUIREMENTS

A. This operating procedure provides information to offenders concerning assignment to and operation of Special Housing Units. Refer to Operating Procedure 425.4, *Management of Bed and Cell Assignments (Restricted)*, for security considerations relating to Special Housing.

B. Assignment to Special Housing

1. An offender moved from general population into special housing may be initially assigned one of the following statuses:
 - a. General Detention - authorized by the shift commander or above for the immediate secure confinement of offenders pending review for an appropriate assignment.
 - b. Pre-Hearing Detention - authorized by the shift commander or above for the immediate confinement of offenders that have been charged with an offense under Operating Procedure 861.1, *Offender Discipline, Institutions*, are awaiting a Disciplinary Hearing, and are considered to be a potential threat to persons or property, or for escape.
 - c. Disciplinary Segregation – after accepting a penalty offer for disciplinary segregation or being

found guilty of violating the offender disciplinary procedure and sentenced to disciplinary segregation by the Hearings Officer in accordance with Operating Procedure 861.1, *Offender Discipline, Institutions*.

2. Assignment to any other special housing status requires a formal due process hearing and action by the Institutional Classification Authority (ICA).
3. Every seven days of an offender's first two months in Special Housing and every 30 days thereafter, the Special Housing Unit Supervisor or designee will perform a *Weekly Special Housing Status Review* of all offenders assigned to the Special Housing Unit to monitor the appropriateness of these statuses. (4-4253) If a formal review of the offender's status is warranted, the offender will be served notice of a hearing in accordance with Operating Procedure 830.1, *Facility Classification Management*.

C. Mental Health and Medical Reviews and Care

1. Offenders should be screened by a Qualified Mental Health Professional (QMHP) before their placement or within one working day after placement in special housing so any "at risk" offenders may be identified. At facilities with no QMHP, the counselor or nurse should screen the offender to identify if there is any indication the offender may be "at risk". Screening should be conducted and special instructions provided according to Operating Procedure 730.4, *Offenders "At Risk" in Special Housing*.
2. Any offender with identified mental health problems who is placed in special housing should be monitored per Operating Procedure 730.5, *Mental Health Services: Suicide Prevention and Behavior Management*, and Operating Procedure 720.1, *Access to Health Services*.
3. When an offender is transferred from general population to special housing, health care personnel will be informed immediately to provide assessment and review as indicated by the protocols established by the Health Authority.

D. Security and Control of Contraband

1. All segregated housing areas, to include cells housing offenders identified as potentially suicidal, have readily accessible equipment and supplies necessary in an emergency.
2. Items entering Special Housing Units are searched to detect and eliminate contraband.
3. Whenever a special housing unit offender is outside a secure area, such as a cell or shower, restraints and escort shall be provided in accordance with Operating Procedure 420.2, *Use of Restraints and Management of Offender Behavior*.
4. Each time an offender moves out of a Special Housing Unit cell, a thorough search and inspection will be conducted and documented before another offender moves into the cell.
5. Each Special Housing Unit cell is inspected whenever an offender is removed from his/her cell.
 - a. This inspection is a general review of sanitation conditions and scan for contraband.
 - b. The Special Housing cell inspection may be conducted by one Corrections Officer and the offender need not be present.
6. Protective Custody offenders are separated from known enemies and from offenders in Pre-Hearing Detention and Disciplinary Segregation. Such offenders must be housed in separate cells and have no direct contact unless both offenders are in restraints with separate security escorts.

E. Living Conditions and General Requirements for Special Housing

1. Offenders assigned to special housing should be allowed basic living levels of decency and humane treatment. On initial assignment to special housing, offenders should receive an orientation (written

- preferred but not required) on available services and how to access them in special housing.
2. Special housing units provide living conditions that approximate those of the general offender population; all exceptions are clearly documented throughout this operating procedure. Special housing cells/rooms permit the offenders assigned to them to converse with and be observed by staff members. (4-4140)
 3. All offenders in segregation shall be provided prescribed medication, 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. (4-4261)
 4. Within the resources available to the facility, unless security or safety considerations dictate otherwise, offenders in special housing have access to educational services, commissary services, library services, social services, counseling services, religious guidance, and recreational programs. (4-4273)
 5. Exceptions to normally provided conditions are permitted only when found necessary by the Shift Commander; any exception is documented. (4-4265)
 6. Special housing cells or units should be well ventilated, adequately lighted, appropriately heated and maintained in a sanitary condition at all times.
 7. Number of Occupants
 - a. 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).
 - b. In cells with proper equipment, suitable offenders may be double bunked.
 - c. If an emergency creates excess occupancy in the Special 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.
 8. Clothing and Bedding
 - a. Offenders assigned to special housing should dress in State issue clothing and be furnished with clothing and bedding in accordance with Operating Procedure 802.1, *Offender Property*.
 - b. Upon arrival in the Special Housing Unit all offenders' personal clothing will be removed; offenders will be strip searched and issued appropriate clothing.
 - c. At least three times per week, clean clothes should be immediately available when dirty clothes are taken off to be washed.
 - d. Clean washcloth and towel will be issued on a one-for-one exchange basis at shower time.
 - e. Linens will be exchanged weekly. Blankets will be exchanged as needed.
 9. Personal Property
 - a. Offenders in special housing should be allowed to keep only those items allowed for their status in accordance with Operating Procedure 802.1, *Offender Property*.
 - b. A Corrections Officer and the offender, or two Corrections Officers in the offender's absence, will inventory all personal property items in accordance with Operating Procedure 802.1, *Offender Property*.
 - c. The offender will be given a copy of his property inventory and will sign for all property issued while in special housing.
 - d. All other items of offender personal property that were not issued to the offender, but are allowed

at the offender's security level and current facility, will be stored upon assignment to special housing, in accordance with Operating Procedure 802.1, *Offender Property*.

- e. The offender must 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 form completed when the offender was initially placed in the Special Housing Unit.
 - f. Offenders in special housing will not be allowed to purchase any property either through the Commissary or an outside vendor that is not specifically authorized to offenders for possession in their assigned status. Any pre-approved item of personal property which is received while the offender is in special housing, but which is not specifically authorized for the offender's status, will be held in Personal Property and not issued to the offender. The offender will be notified of the receipt of property items by Personal Property staff via the *Personal Property Request - Add/Drop*. Offenders will not be allowed to view, try-on, or examine this property while assigned to special housing.
 - g. When an offender is discharged from special housing, the Special Housing Unit Supervisor will be notified and will have the offender's property ready to be issued when the offender is released. The offender will sign for the property when issued.
10. Medical/Mental Health Care
- a. No offender will be denied necessary or proper medical, dental, and or mental health care while in special housing.
 - b. Medical requests, medical staff visits, and medications administered or refused shall be recorded.
 - c. Medical services should be provided in accordance with Operating Procedure 720.2, *Medical Screening, Classification, and Levels of Care*, and Operating Procedure 720.1, *Access to Health Services*.
 - d. "At risk" offenders should be identified and monitored in accordance with Operating Procedure 730.4, *Offenders "At Risk" in Special Housing*.
 - e. Unless medical attention is needed more frequently, each offender in special housing shall receive a daily visit from a health care provider (not required for facilities that do not have medical staff on duty on weekends). The visit ensures that offenders have access to the health care system. The presence of a health care provider in special housing is announced and recorded. The frequency of physician visits to special housing units is determined by the health authority. (4-4400, 4-4258)
 - f. Offenders should request dental services if needed. Dental staff will determine the need to provide dental care while the offender is in special housing.
 - g. Prescribed medications will be provided in accordance with Operating Procedure 720.5, *Pharmacy Services*.
 - h. A QMHP will personally interview in accordance with Operating Procedure 730.4, *Offenders "At Risk" in Special Housing*, any offender remaining in special housing for more than 30 days. If confinement continues beyond 30 days, a mental health assessment by a QMHP is made at least every three months and more frequently if prescribed by the chief medical authority. (4-4256)
11. Supervision
- a. Each offender in special housing should be checked at least every 30 minutes on an irregular schedule by a corrections officer, with each check documented. Offenders who are violent or mentally disordered or who demonstrate unusual or bizarre behavior receive more frequent observation; suicidal offenders are under continuing observation in accordance with Operating

Procedure 730.5, *Mental Health Services: Suicide Prevention and Behavior Management*. (4-4257)

- b. In addition to supervision provided by the unit officers, the Special Housing Unit should be visited daily by the Shift Commander or higher authority. The visit should be documented. (4-4258)

12. Food

- a. Offenders assigned to special housing should receive the same number and type of meals served the general population.
- b. Food may not be used as a disciplinary measure. Punitive diets (i.e., bread and water) for offenders are prohibited. (4-4320)
- c. Whenever the offender refuses to eat, a record should be made on the *Special Housing Individual Log*.
- d. Offenders who refuse to eat will be managed in accordance with Operating Procedure 420.2, *Use of Restraints and Management of Offender Behavior* and Operating Procedure 730.5, *Mental Health Services: Suicide Prevention and Behavior Management*.
- e. 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*.

13. Personal Hygiene

- a. Offenders in special housing receive laundry, barbering, and hair care services and are issued and exchange clothing, bedding, and linen on the same basis as offenders in the general population. Exceptions are permitted only when found necessary by the shift commander; any exception is documented. (4-4263)
- b. Offenders assigned to special housing should have the opportunity to sponge bathe whenever they choose. They should be permitted to shower and shave not less than three times each week. (4-4262)
- c. The offender is allowed to possess the personal hygiene items authorized for the assigned status in Operating Procedure 802.1, *Offender Property*. If the offender does not have basic personal hygiene items and is indigent, the facility should furnish them.
- d. The facility should provide security toothbrushes. Personal toothbrushes are generally not allowed since they may be used as weapons.
- e. No oils or lotions should be allowed, except prayer oil.
- f. Offenders assigned to special housing and certain mental health units should be provided razors by the facility. Personal razors should not be allowed. The type of razor should be consistent with the security level of the facility.
 - i. When disposable razors are provided, the facility should assure the offender does not destroy the razor and use the blade to create a weapon or to cause self-harm. Staff should inspect the razor after use to ensure the offender has not tampered with the razor and the blade is present. The facility shall use an accountability system to ensure the same disposable razor is not issued to more than one offender.
 - ii. If the facility 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.
- g. Offenders will be escorted directly to and from the showers. Offenders should be allowed to take only the minimum items needed.
- h. Barbering services should be available on a regular basis.

14. Correspondence

- a. Offenders confined to special housing are 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*, except that offenders in special housing will not receive the contents of packages unless approved by the Facility Unit Head. (4-4266)
- b. 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*.

15. Access to Legal Services

- a. Offenders assigned to special housing will not be prohibited from conducting litigation on their own behalf.
- b. Offenders assigned to special housing should be afforded access to facility legal services including the Facility Attorney and the use of Law Library materials in accordance with Operating Procedure 866.3, *Offender Legal Access*. Offenders being placed in special housing should be provided information on how to access legal services. (4-4268)
- c. Attorney visits and legal calls are addressed in the Visitation and Telephone sections of this operating procedure.

16. Visitation

- a. Offenders in Special Housing have opportunities for visitation unless there are substantial reasons for withholding such privileges. (4-4267)
- b. The visitation schedule for offenders in special housing should be established by the Facility Unit Head as permitted by available staff and facilities.
- c. Visitation in special housing will be non-contact unless approved by the Facility Unit Head.
- d. A maximum of one visit per week for one hour with no more than five persons should be granted to offenders in segregation. Some facilities may set a lower limit on the number of visitors due to space limitations.
- e. Attorney visits to an offender in special housing shall occur during normal working hours of the facility unless otherwise approved by the Facility Unit Head or designee. Attorneys shall be asked to present proper identification before being admitted to the facility and the visit will be conducted in accordance with Operating Procedure 851.1, *Visiting Privileges*.

17. Commissary

- a. Orders should be taken at least 3 times per month on scheduled days. Offenders in special housing are allowed a \$40.00 spend limit per month.
- b. Glass, metal, and other hazardous containers or products may be restricted if determined by the facility to pose a risk to security. No oils or lotions should be allowed, except prayer oil.
- c. Security writing instruments should be provided by the facility. Long term segregation facilities may require offenders to purchase security writing instruments after the initial issue.
- d. A list of approved Commissary items for special housing offenders should be available in the Special Housing Unit.

18. Exercise

- a. Special housing offenders should be allowed a minimum of one hour of out of cell exercise five separate days per week in a supervised area, unless security or safety considerations dictate

otherwise. (4-4270)

- b. During periods of total facility lockdown, out of cell exercise may also be suspended for special housing offenders.
 - c. A record will be made any time exercise is given or refused.
19. Telephone
- a. Offenders assigned to special housing (except pre-hearing detention and disciplinary segregation) should be permitted to place two telephone calls per month in accordance with Operating Procedure 803.3, *Offender Telephone Service*. (4-4271)
 - b. Offenders being placed in special housing should be provided information on how to access telephone services including legal and emergency calls.
20. Counseling Services
- Offenders being placed in special housing should be provided information on how to access counseling services upon request and for emergencies. (4-4258)
21. Educational and Library Book Services
- a. Offenders assigned to special housing will have access to educational services as determined by the DCE Principal
 - b. Offenders assigned to segregation will have access to library books for personal use. (4-4269)
22. Religious Guidance
- a. Offenders assigned to special housing will have access to religious guidance. Offenders being placed in special housing should be provided information on how to access the Chaplain or other available religious services
 - b. Visits from spiritual leaders may be requested in accordance with Operating Procedure 851.1, *Visiting Privileges*.

VI. GENERAL DETENTION

A. General Detention Assignment and Classification Process

1. General Detention may be utilized for the immediate secure confinement of an offender pending investigation of a possible criminal or facility rule violation, when the offender is considered to be a potential threat to persons or property, or when an offender requires personal protection and no reasonable alternative is available.
2. Only the Shift Commander or a higher authority may authorize an offender's placement in General Detention. The Facility Unit Head or other Administrative Duty Officer shall review this action within 72 hours of the offender's placement on General Detention. (4-4250)
3. In cases when protective custody is requested, the Shift Commander should attempt to find a reasonable alternative to assignment to the Special Housing Unit. If the need for protective custody is documented and no alternative exists, the Shift Commander shall authorize the offender's assignment to General Detention status. (4-4251)
4. Offenders should be screened by a QMHP before their placement or within one working day after placement in General Detention so that any "at risk" offenders may be identified. At facilities with no QMHP, the counselor or nurse should screen the offender to identify if there is any indication the offender may be "at risk".
5. An offender may not be held in General Detention for longer than three working days. Unless assigned to a new housing status by the ICA, the offender will revert to the previous housing

assignment after three working days in General Detention.

6. The ICA shall conduct a formal review for determination of appropriate housing assignment within three working days of the offender being placed on General Detention. The ICA may not re-assign the offender to General Detention. Possible appropriate housing assignments are:
 - a. Return to the general population
 - b. Assignment to Pre-Hearing Detention if a charge is served
 - c. Assignment to Segregation
7. The ICA may assign an offender to Segregation for investigation of the matter that caused the offender to be placed on General Detention. An offender may not be held in investigative status beyond ten calendar days unless they are being investigated by the Inspector General's Office.

B. Conditions for General Detention

1. Unless offender behaviors warrant the removal of specific property items or denial of specific activities, Conditions for General Detention shall conform to the Living Conditions for Special Housing listed above.
2. If any normally allowed specific property item or activity is denied, it must be documented.

VII. PRE-HEARING DETENTION

A. Pre-Hearing Detention Assignment and Classification Process

1. Assignment to Pre-Hearing Detention may be made when an offender has been charged with violation of an offense in accordance with Operating Procedure 861.1, *Offender Discipline, Institutions* is awaiting a Disciplinary Hearing and is considered to be a potential threat to persons or property.
2. Pre-Hearing Detention can only be authorized by the Shift Commander or a higher authority. The Facility Unit Head or other Administrative Duty Officer shall review this action within 72 hours of the offender's placement on Pre-Hearing Detention.
3. Offenders should be screened by a QMHP before their placement or within one working day after placement on Pre-Hearing Detention so that any "at risk" offenders may be identified. At facilities with no QMHP, the counselor or nurse should screen the offender to identify if there is any indication the offender may be "at risk".
4. An offender may not be held in Pre-Hearing Detention for longer than three working days without being formally reviewed by the ICA in accordance with Operating Procedure 830.1, *Facility Classification Management*, to determine if the offender continues to be a threat to persons, property, or security.
 - a. The ICA should make a recommendation to return the offender to the general population or continue the offender in Pre-Hearing Detention status until he receives a Disciplinary Hearing.
 - b. The maximum total period in Pre-Hearing Detention shall not exceed fifteen days.
 - c. If the Disciplinary Hearing is not held within fifteen days of the beginning of Pre-Hearing Detention, the ICA must conduct a formal hearing to determine if the offender should be assigned to Segregation or released to general population.

- #### B. Conditions for Pre-Hearing Detention are the same as for Disciplinary Segregation (see Section VIII, B., below)

VIII. DISCIPLINARY SEGREGATION

A. Disciplinary Segregation Assignment Process

1. Disciplinary Segregation is a disciplinary measure used for the management of offenders the Hearings Officer has found guilty of facility rule violations. Offenders may only be assigned to Disciplinary Segregation in accordance with Operating Procedure 861.1, *Offender Discipline, Institutions*. (4-4252)
2. Offenders may be assigned to Disciplinary Segregation for a maximum period of 30 days for each major rule violation.
3. When an offender has more than one Disciplinary Segregation sentence to serve, after serving 30 consecutive days prior to serving any subsequent sentence, the offender will be given a rest period of 15 consecutive days before being placed back in disciplinary segregation. (4-4255)
4. Offenders may be returned to the general population, if appropriate, during the rest periods between Disciplinary Segregation sentences, or may be reviewed by the ICA in a formal hearing held in accordance with Operating Procedure 830.1, *Facility Classification Management*, for assignment to Segregation during the rest periods. Offenders assigned to Segregation between sentences should be provided the same privileges as other offenders assigned to Segregation.
5. When computing time for those offenders assigned to Disciplinary Segregation and Pre-Hearing Detention, the day of admittance shall count as one day and the day of release shall count as one day.

B. Offenders on Pre-Hearing Detention or serving a Disciplinary Segregation sentence are subject to the same living conditions as other offenders in special housing with the following exceptions:

1. Clothing and Bedding

Bedding may be removed during the daytime hours. In place of bedding, a chair should be placed in the cell.

2. Personal Property

Offenders on Pre-Hearing Detention or in Disciplinary Segregation should be allowed to keep only those items listed for Pre-Hearing Detention and Disciplinary Segregation status in Operating Procedure 802.1, *Offender Property*

3. Personal Hygiene

If the offender is indigent and does not have the personal hygiene items listed for Pre-Hearing Detention and Disciplinary Segregation status in Operating Procedure 802.1, *Offender Property*, the facility should furnish them.

4. Visitation

- a. Offenders on Pre-Hearing Detention or in Disciplinary Segregation will forfeit the privileges of receiving visits from relatives and friends; however, under exceptional circumstances, permission may be obtained from the Facility Unit Head for such visits.
- b. Attorney visits to an offender in on Pre-Hearing Detention or Disciplinary Segregation may not be restricted and attorneys should be allowed access to the offender in accordance with Operating Procedure 851.1, *Visiting Privileges*.

5. Commissary

- a. Offenders on Pre-Hearing Detention or in Disciplinary Segregation are limited to the purchase of necessary legal supplies, personal hygiene items, and OTC medications.
- b. A list of approved Commissary items for Pre-Hearing Detention and Disciplinary Segregation

offenders will be available in the Special Housing Unit.

- c. Security writing instruments should be provided by the facility. Long term segregation facilities may require offenders to purchase security writing instruments after the initial issue.
6. Telephone
 - a. Offenders on Pre-Hearing Detention or assigned to Disciplinary Segregation should not be afforded personal telephone privileges.
 - b. Offenders being placed on Pre-Hearing Detention or in Disciplinary Segregation status should be provided information on how to access the offender telephone system for placing legal and emergency calls. (4-4272)

IX. SEGREGATION

A. Segregation Classification Process

1. Segregation is not a disciplinary measure but a means of custodial or protective control. Segregation consists of personal protection and custodial management measures exercised by the facility for the welfare of the offender or the facility, or both.
2. Offenders may only be assigned to Segregation by the ICA after a due process hearing held in accordance with Operating Procedure 830.1, *Facility Classification Management*.
3. The offender's behavior and attitude will be observed and evaluated during assignment to Segregation.
4. An offender may not be held in Segregation in investigative status beyond ten calendar days unless the offender is being investigated by the Inspector General's Office.
5. During the assignment to Segregation, the offender status will be formally reviewed by the ICA at least once every 90 days. (4-4254) The ICA will formally review the offender's adjustment and behavior in accordance with Operating Procedure 830.1, *Facility Classification Management*, and determine whether to recommend that the offender continue in Segregation for a subsequent period of up to 90 days or be assigned to the general population.
 - a. The ICA should base its recommendation on consideration of the reason for the assignment, the offender's behavior, and the progress made toward case plan objectives.
 - b. The ICA should determine whether the offender is a threat to security or if the offender may be in danger due to enemies in the general population.
 - c. If appropriate, offenders may be managed in Segregation pending approval for and transfer to a Protective Custody Unit.
 - d. The ICA may recommend a transfer to another facility when return to the general population in the same facility is not appropriate.
6. Administrative ICA hearings may be conducted at the facility's discretion at any time a significant change in circumstances or the offender's behavior warrants a review in accordance with Operating Procedure 830.1, *Facility Classification Management*.
7. When the ICA determines that an offender's behavior or circumstances no longer warrant a segregated status, a recommendation for the offender's release to general population should be made.
 - a. Upon completion of the ICA hearings docket, the Facility Unit Head or Assistant Facility Unit Head (or Administrative Duty Officer in their absence) will review the ICA's recommendation for release.
 - b. If the ICA recommendation is approved, the offender will remain on segregation status until

moved to General Population. The Records Manager will schedule the offender to be moved into General Population upon availability of bed space.

- c. If the ICA recommendation is disapproved, the offender will remain in segregation and receive another formal review within the next 90 days.

B. Conditions of Segregation

1. Unless offender behaviors warrant the removal of specific property items or denial of specific activities, Conditions for Segregation shall conform to the Living Conditions for Special Housing listed above.
2. If any normally allowed specific property item or activity is denied, it must be documented.

X. MENTAL HEALTH HOLD AND MEDICAL HOLD

A. Mental Health Hold and Medical Hold are special types of Segregation assigned by the ICA.

B. When Mental Health or Medical staff determine that an offender should be placed in special housing to protect the offender or the general population they may request to the Shift Commander that the offender be placed on General Detention.

C. The Mental Health or Medical staff causing the offender to be placed in General Detention should advise the ICA whether the offender should be assigned to Segregation or released to general population on review of the General Detention status.

D. If an offender is assigned to Segregation with Mental Health or Medical Hold, Mental Health or Medical staff must advise the ICA when the offender has recovered adequately to be returned to general population.

1. The ICA should then hold an administrative review for release of the offender to general population.
2. During the assignment to Segregation with Mental Health or Medical Hold, the offender status will be formally reviewed by the ICA at least once every 90 days.

E. Conditions for Mental Health Hold and Medical Hold

1. Unless offender behaviors or medical/mental health needs warrant the removal of specific property items or denial of specific activities, Conditions for Mental Health Hold and Medical Hold shall conform to the Living Conditions for Special Housing listed above.
2. If any normally allowed specific property item or activity is denied, it must be documented.

F. The decision to assign offenders to medical observation units, infirmaries or mental health units is a medical decision to be made by the treating physician according to appropriate medical procedures and is not governed by this operating procedure.

XI. REFERENCES

Operating Procedure 420.2, *Use of Restraints and Management of Offender Behavior*

Operating Procedure 425.4, *Management of Bed and Cell Assignments*

Operating Procedure 720.1, *Access to Health Services*

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

Operating Procedure 720.5, *Pharmacy Services*

Operating Procedure 730.4, *Offenders "At Risk" in Special Housing*

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

Operating Procedure 802.1, *Offender Property*

Operating Procedure 803.1, *Offender Correspondence*

Operating Procedure 803.3, *Offender Telephone Service*

Operating Procedure 830.1, *Facility Classification Management*

Operating Procedure 851.1, *Visiting Privileges*

Operating Procedure 861.1, *Offender Discipline, Institutions*

Operating Procedure 866.3, *Offender Legal Access*

Operating Procedure 920.6, *Violation of Supervision Conditions*

XII. FORM CITATIONS

[Special Housing: Individual Log](#) (425_F4)

[Special Watch Log](#) (425_F5)

XIII. REVIEW DATE

The office of primary responsibility shall review this operating procedure annually and re-write it no later than October 1, 2014.

Signature Copy on File

John M. Jabe, Deputy Director of Operations

Signature Copy on File

Malcolm L. Taylor, Acting Deputy Director of Community Corrections